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AUTHOR:

CICERO, MARCUS
TULLIUS

TITLE:

CICERO ON ORATORY
AND ORATORS ...

PLACE:

LONDON

DATE:

1808

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De oratore.
English.

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and explanatory; a new ed. carefully rev. and
corrected ... London, Richardson, 1808.
2 v. 22 cm.

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Cicero's Brutus.

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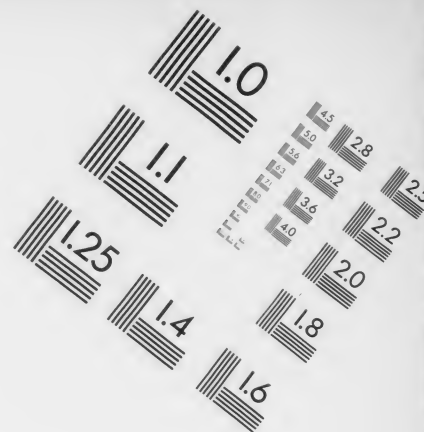
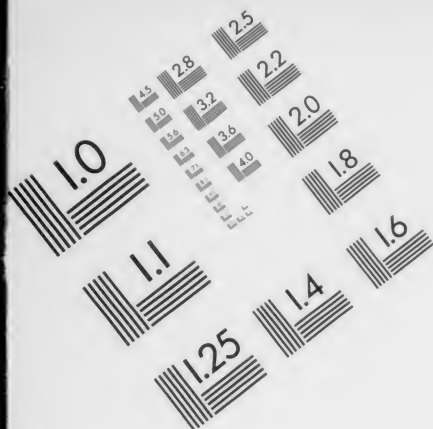
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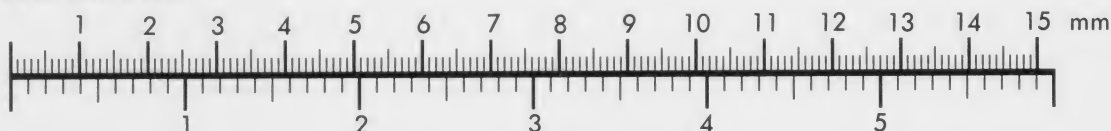
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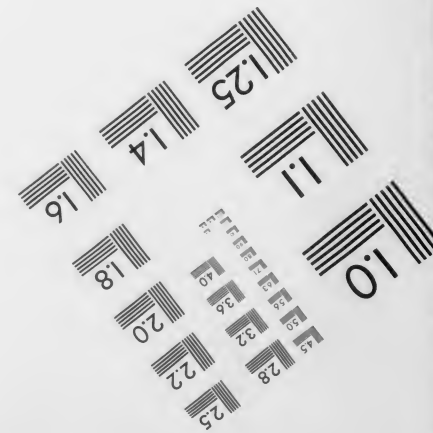
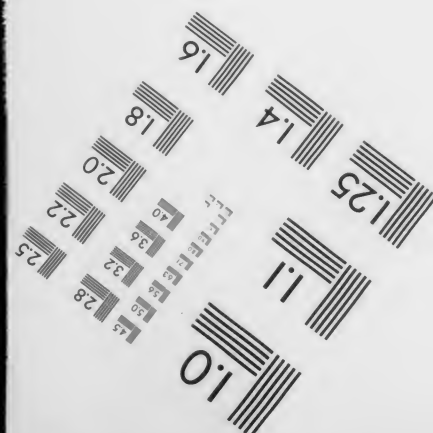
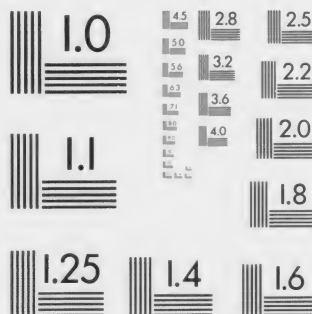
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CICERO
ON
ORATORY AND ORATORS.

WITH
NOTES
HISTORICAL AND EXPLANATORY.

A NEW EDITION,
CAREFULLY REVISED AND CORRECTED.

IN TWO VOLUMES.

VOL. I.

LONDON:

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1808.

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WRIGHT, Printer, St. John's Square.

PREFACE.

THE character and qualifications of an orator are so well, and so fully handled in the following work, that it would be the height of presumption to say any thing further on these heads. Our author himself has rested his reputation upon the merits and execution of this performance, and all that is left for a translator, is to endeavour that his original may not be disgraced by the copy, and that the friends of Cicero may not blush at the mean appearance he makes in a modern language. But it is impossible with any propriety to introduce my great author to the public in the following translation, without at the same time acquainting the world with the *motives*, I had almost said, with the *necessity*, of the present undertaking.

Men of learning are divided with regard to the merit of translations in general ; I shall not pretend to decide upon either side ; but I will venture to say, that if the present taste in learning should gain ground, this nation will soon have no other means left of being acquainted with the *good sense* of the ancients, but through translations. It is upon this foot-

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ing only that I will justify the translation of a prose author ; and I may appeal to every gentleman who converses abroad in the world, to every gentleman who has had any opportunities of being acquainted with the present *trade* of education, if, in this island, we are not in danger of losing not only the beauties, but even the meaning of those writers among the ancient, whose works are not yet translated. While I say this, I am far from condemning the method of education that is now generally adopted. I am sensible, as this is a trading nation, that the education which most tends to qualify young gentlemen to support the interest of their country, which undoubtedly lies in commerce, is most to be pursued ; but, at the same time, the nature of our government and constitution demands that gentlemen of property be conversant in other studies ; and though there is not in this nation, perhaps, the same *public demand* for the knowledge and practice of the art, which is the immediate subject of these sheets, as there was in old Rome, yet I will venture to affirm, that in no age, and in no country, since the days of Cicero, they have been more useful and more necessary than in the present.

Looking upon this undertaking in that light, we shall find that it claims all the attention that is due to a *public concern* ; and though a few of the many who may have occasion to practise the excellent rules laid down by

by our author, may understand, may be pleased with them in the original, yet their importance and usefulness must in a great degree have been lost to the world, without the medium of a modern language. I am sorry to observe farther, that for wanting that medium they have been in a great measure lost hitherto, and that they who are acquainted with the original, and shall take the trouble to read my author, even in the disguise, and under the disadvantage, of a translation, will enter into all the sources of those amazing effects of eloquence which he has often *felt*, and perhaps *practised*, without being sensible of the cause to which they were owing.

Learning therefore may be called the *auxiliary of good sense*, and all learning that has not this in view is a pursuit unworthy the *care*, and below the *attention of reason*. *Good sense* may subsist without *learning*, but then its aim is more uncertain, and its effects more irregular than when it has the assistance of the examples, the sentiments and the precepts of the greatest men of former ages. If we carry this observation farther, we find that as the learning which has not the improvement of *good sense* ultimately in view is *childish*, so the *good sense* which has not *virtue* for its end, is *dangerous*. It was owing to the conviction of this great maxim that the Romans arose to such a height of power under many

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disadvantages of their constitution. It was this maxim that directed them to engraft *arts* upon *government*, and by that means each communicated strength and vigour to the other, till the loss of their *virtue* proved the ruin of both. Arts did indeed survive liberty, but their duration was but faint, and they but too frequently proved destructive to their possessors.

Let us now apply this observation to my author. He lived in a state where the radical power was in the people, and the people communicated dignity to every other branch of government. The genius of their constitution on the other hand inclined to *monarchy*; and the people, with the most embittered aversion to the *name*, were perpetually leaning to the *thing*. It was owing, more than once, to the senate and their magistrates, that they did not relapse into regal power; their own demands had ultimately this tendency; for the extremes of democracy lead more nearly than any other form of government to the principles of tyranny. The wiser among the senate saw this, and eloquence was the only means of stemming, or rather diverting, the torrent of popular passions. This was the foundation of the great esteem which *eloquence* had always under the *republican* government of Rome; no other engine could have been applied with equal success. The people had found, by the effects of their *secessions* from the senate, that though the balance

lance of *property* was in favour of the senate and nobility, yet that *power* could command *property*. Good sense directed them to find out this *truth*, a *truth* which after ages and governments have affected to keep as a secret; and every people who are sensible of it will be able to retain their liberties. In short, if we consider the history of Rome through all the struggles betwixt the *people* and the *senate*, we find it no other than a struggle betwixt *property*, which was vested in the *senate*, and *power*, which lay in the *people*. The *acquisitions* obtained by the *people* were wrested from the *senate*, upon the great principle that the *safety of the people is the first law in government*, and that no *positive institution* could take place, or stand in the way, of this fundamental maxim. Upon this *principle* they succeeded; but their success brought them to the brink of ruin: it is easy to raise a *spirit* in a people; but to know where to fix the proper bounds of that spirit is difficult. The passions of a people, though right and virtuous, may be corrupted by the private views of artful men; and it is commonly found that the people never reflect they have gone too far, till they find the *lengths* they have gone are *irretrievable*.

Things were drawing to this crisis when our author appeared upon the *stage of life*; and nothing can give the reader so high an *idea* of the power of that *eloquence*, which is so

well described in the following *conferences*, as by reflecting that for some time it was capable of *balancing the contending parties of the Roman state*; and had such a command over the passions of the people, as to keep the *fate of the republic for some time in suspense*. But though it was perhaps happy for Rome that our author lived at that particular juncture, yet it was unhappy for himself. Had he lived an age sooner than he did, and been endowed with the same temper and abilities, he might have saved his country from the miseries that afterwards befel her; had he, on the other hand, begun to live at the period when he fell, he might have passed his days in a splendour, dignity, and ease more agreeable to his own cast of mind; and though he could not have recovered the liberty of Rome, yet he might have found the means of making her chains sit lighter than they afterwards did. To be convinced of the first of these propositions one needs but to reflect upon the fate of the Gracchi, and the consequences with which their ruin was attended. Both of them had great abilities, great qualities, great eloquence, and, so far as we are warranted to judge from history, *honest intentions*. The people of Rome had never seen men of eloquence equal to theirs espouse their interests. Eloquence till that time was always *monopolized*; it was an *arcanum imperii*, an *instrument of government* in the hands of the senate. The senate used
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all precautions to keep it in this track, and, as I observed before, was the only engine that diverted the tide of popular passion, and weakened it so as not to beat too high upon their own order and authority. The Gracchi broke the enchantment, nay, turned the artillery of the senate against itself. I shall not enter into the dispute at present, which were in the right—it is foreign to my purpose. I will, however, venture to say, that though the Gracchi fell in the struggle, yet they left several valuable legacies to the liberty of their country. These must have prolonged the duration of the Roman state, had not the faction by which the Gracchi fell, set a fatal precedent to teach succeeding times, by melancholy experience, that when the sword is drawn by a government, under the plea of necessity, the same sword will one time or other be successfully employed for subverting the government itself.

The *necessities* of the people justify an alteration of any *positive act of government*; but the *necessities of government* never can justify the weakening the *security which the people enjoy in regard either to their lives or their properties*. The death of the Gracchi introduced a set of maxims till that time unknown in Rome; the life of Cicero was spent in a continual struggle, on the one hand with the designs of artful men, who had cloaked their own ambition with the specious

cious pretext of the people's good, and on the other hand with the exercise of power vested in men, who by means of that pretext proved too powerful for the constitution. A tenderness for the safety of Roman citizens was the *living spirit* of the Roman laws; this tenderness was violated by the death of the Gracchi; and the fates of the conspirators in the case of Catiline, though warranted by the strongest *circumstances of necessity*, served as a handle for driving our author into exile, and aggravating his punishment with several marks of severity and ignominy.

The speakers in the following conferences were principal actors in those scenes of deep distress that preceded our author's appearance in *public life*. Their conduct was the model of *his*; their principles were adopted, and their learning improved by *him*. This work is the memorial of their virtues and abilities; and Cicero has preserved a scrupulous *propriety* in representing their several characters. I shall not anticipate my reader's pleasure by prefixing any account of them in this preface; I will only add, that they are such as may be met with in the present age, and such as resemble those which may be found in our country.

After what I have observed upon the importance of eloquence in the Roman republic, the reader will not be surprised that our author has in their own persons brought in
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men of the greatest dignity in the state, as discussing the subtleties and niceties of this art, and that in a manner which has ever since been confined to schools and academies. But we are to look upon eloquence in the days of our author as a *political accomplishment*. The *lessons* here delivered, are *lessons of government* as well as of *eloquence*; and the *practice* here recommended, is a practice in the art of civil polity: an art by which the passions of the greatest people that ever existed were kept within the bounds of moderation, and the interests of the greatest empire that ever was founded were directed.

Having thus taken a short view of the importance of the art which is the subject of the following sheets, as it was practised in the great exigencies of the Roman government in the times of the republic, and endeavoured to give my reader a slight idea of the circumstances that concurred to render it so necessary, I come now to consider it as practised at the bar, when cases of private property were depending.

The possession of private property in old Rome was perhaps more precarious than it was in any state we read of; it depended so absolutely upon the judge, and *power* came to be so much engrossed by men of eloquence, that the man who was the advocate for property was its guardian, and generally either wholly, or in part, came in the end to inherit it. Hence it came that the term they
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used to signify a *counsel*, or an *advocate*, was a *patron*; and it is from them, that to this day parties at law are called *clients*. Thus *superiority* and *dependency* were the consequences of being an *advocate* and a *party* at law; and that advocate looked upon himself as having a right, not to a fee, but to the whole, or a part of that property which he recovered or defended. The reader may judge from this what prodigious advantages the practice of eloquence gave to the citizens of Rome; and how almost impossible it was, unless a man rose by arms, to get either *power*, *reputation*, or *riches*, but by means of this art.

As to the effect which eloquence had in the decision of cases respecting *life* or *death*, these but seldom happened. *Capital* cases did not, as now, always affect the life of the party, but every case that affected his *liberty* or *reputation* was *capital*. By the Roman laws this was often the consequence of civil actions; and therefore I shall make no other remark upon the use that eloquence was of under this head, than that all I have said upon the former, is applicable to this, and exists *a fortiori*.

I come now to consider the relation in which the art here treated of stands to our own country and constitution, and in order to do this the more regularly, I shall pursue the same review I have made of the Roman state, but without taking the same liberties

liberties in reflecting upon either the principles or the execution of our government.

In England, any man who knows the least of our laws and constitution, may perceive that every act of the legislature, every enacting measure that binds either the whole, or a part of the public, and every decision upon the life or the liberty of a subject, must pass through an assembly of the people, either in their representative, incorporate, or collective capacity. There is no man who is endowed with a share of property, without any legal disqualification, who may not some time be a member of either the one or the other, and he is then a member of an assembly, in which the art of speaking, the art of reasoning, and that of judging, becomes absolutely necessary.

The highest assembly of the commons we know of in this country, is an assembly in which every measure, and every decision is subjected to free and impartial debate. In *subordinate* assemblies no man is precluded from delivering his sentiments with freedom upon every measure under their deliberation; and the man who speaks well, if he does not always meet with *success*, is always sure of *applause*. But, in order to succeed, natural abilities require the assistance of art; and though the knowledge of the art will never qualify a man for a speaker, without a fund of good sense, yet good sense joined to art is of infinitely greater weight and efficacy

cy than when it stands by itself, unassisted and unattended by art.

It is ridiculous to imagine that art imposes any fetters upon genius; so far from it, that she *assists* and reason *directs* it. It is owing to the study of eloquence being reduced to a barren technical system, that from being a useful *art* in *government*, it is becoming a pedantic *jargon* in *schools*. But the reason why it has *now* degenerated from its noble and generous station in the arts, is connected with the reason why the greatest part of mankind, who are not savages, are slaves. In free countries, such as old Rome once was, and ours is now, *eloquence* had objects worthy all her *powers*, and all her *charms*. She had then to operate upon the passions, the reason, and the sentiments of a people; but when *tyranny* abolished *liberty*, those objects no longer existed; they were contracted into the will, the ambition, the whim, the caprice, or the vanity of a single man; of one who, perhaps by the meanest and most scandalous means, rose to be judge and master of the lives, the liberties, and properties of his fellow subjects. Such an object was unworthy the attention, unworthy the powers of eloquence; her force, which used to govern the passions of thousands, which used to spread a contagious sympathy through assemblies of the bravest people upon earth, must now be checked, it must be supplied, it must dwindle into *adulation*, it must creep
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in the strain which this person loves, and for which alone he has any feeling. In a free state the passions are *strong*; under *tyranny* they must appear *languid*. The preserving this *appearance* of *languor* renders them *at last*, what they only seemed to be *before*. *Eloquence* by this means loses her noblest object; she labours to raise the dead, or the insensible, she loses both her powers and their effects; and from being a *manly study* degenerates into a *servile accomplishment*.

It is therefore only from the precepts and practice of those who lived under free states, that we can expect to know the virtues and beauties of this divine art. But of all the free states we know or read of, that of Rome was supported by the most general passion for the public good; the virtues that made her great, were radical in her constitution, inseparable from the idea of her government, and subsisted for some time after the spirit of liberty was extinguished. This may seem a paradox; it may seem romantic; but if we reflect upon any one circumstance in the Roman polity, we shall be convinced of its truth.

The passions of the Romans for their country led them not to be confined to the study of arms, or the immediate arts of government, in order to make her great and powerful. They found the means of drawing the whole circle of the arts within their favourite system of *public good*. None stood single and
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by itself; they all were connected with, they all terminated in, the *public*. None were valued if confined to mere speculation; and all were despised that did not tend to enhance the glory or power of their country. Poetry, the most bewitching of all arts, was valued only as it had an influence upon the morals of mankind; the poetry that touched the tender passions was almost unknown in Rome till the beams of a court had melted their virtue, and softened their affections to take any impression which the art of the poet was pleased to bestow. *Architecture* did not then, as afterwards, employ all the magnificence of order, and the grace of proportion, upon the buildings of private persons; their public buildings, the temples, their roads, their aquæducts, and other works of public utility; such works as might be compatible with the dignity of their empire, were erected and embellished by this art. *Sculpture* was employed in adorning the places of public meeting, and exhibited to the views of the people the representations of personages whose virtues rendered them the most worthy objects of their imitation. I might proceed to exemplify this observation in other arts: I shall now confine myself to that which is the subject of my present undertaking.

In the following sheets the reader will easily perceive how much our author despises eloquence, considered as detached from the purposes

purposes of civil life, and what a contemptible idea he raises of its speculative professors. No merit, no learning, no genius in this way, though ever so great, could rescue the possessors from contempt, unless they were in a capacity to apply their talents to the service of the public. Even the condition of slavery was but seldom relieved by the most consummate merit in this art, since that condition disqualified the person from applying it to the service of Rome.

It was no wonder then if a government, which acquired so many accessions of strength and dignity from the arts, should rise to a greater pitch of power and majesty than other states who were deprived of these advantages. This is a character in which the Roman polity differed from all other states; even Greece was defective in this point. Her people had an exquisite sensibility, and were too apt to be bewitched by the charms of the arts, detached from civil uses. This enchantment made them indulge a passion for retirement and leisure; and hence it was that they honoured the speculative and the sedentary. Since the revival of learning in later ages, this mighty, this important secret, has not been found out, at least has not been attended to. To this inattention it is owing, that, even in our own country, some princes, who have been the greatest patrons of liberty, have neglected or despised the patronage of the arts; while others have but too successfully

fully employed them in lulling mankind asleep, and enchanting the world, while they were prosecuting and executing the most pernicious designs against public liberty.

As history is the great instructor of public life, we may hope to see the time when this excellence of the Roman government shall be added to many others, in which Great Britain either equals or excels the Romans themselves. With regard to the art which we are now considering, this is not only *practicable*, but *necessary*. For though a particular taste in particular arts, may prevail in most countries, yet eloquence being founded on reason, which is every where the same, and operating upon the passions of mankind, which differ only in their degrees of strength and weakness, its precepts are universal and eternal. Our author, in laying down the rules contained in the following work, derived advantages from helps and objects, of which we, in this country and age, are deprived. His genius was so comprehensive, that he exhausted his subject, so that all that has since appeared on this head are not improvements, but comments upon these excellent conferences. It is from them that each separate species of eloquence has been derived; the rules contained in them are equally applicable to the practice of the senate, the bar, or the pulpit; they are equally fit for the *many* or the *few*; they teach how to *reason* as well as how to *move*, and to direct the

the *head*, as well as to *touch* the *heart*. They are so far from being impracticable, that every man of sense who speaks in public, practises them in a greater or a less degree, and they are not founded upon any *hypothesis*, but reduced into a system from the repeated and unvarying experience of their effects. In short, though they are adapted to the use of mankind in general, yet they are most useful to the people, who, of all mankind, in their government and enjoyment of their civil rights and liberties, have the nearest resemblance to the people for whose use they were most immediately intended.

I shall only add, while I am upon this subject, that the following pages are adapted not only for the use of a speaker, but for that of a hearer. They are fitted to enable one to judge as well as to speak. It is through them that the *mist* vanishes, that the *glare* disappears, which *rhetoric* knows how to throw upon *truth* and *reason*. It is from the precepts contained here, that we can trace causes from their effects; it is by them alone that we can fortify our *affections* against the *enchantment of words*, and the artful *attacks of eloquence*. Through them we can be pleased without being deceived, and in one sense they contain the whole art of imposing upon others, without being imposed upon ourselves.

We are therefore to consider our orator as a workman, who knowing the powers of matter

matter and mechanism, finished several machines which produced surprising and unaccountable effects; and this performance as an analysis, or explanation of those properties, and that disposition by which all this amazing power was exerted. We may consider him in another light—in that of a statesman, and this as his political confession, laying open all the art which kept the vessel of government so long from oversetting, after it had been abandoned by the wisest and most skilful of its pilots.

As to my own performance in the following work, I rest its merit entirely upon the judgment of the public. My motives for attempting it before I went farther in the translation of his other works, were, because it is a key to unfold the beauties that lie unobserved in the orations. It was with this view, next to that of the public service, that our author composed this work; and the English reader will, after reading it, enter with double pleasure upon the orations.

M. TULLIUS CICERO

ON THE

CHARACTER OF AN ORATOR.

THE FIRST CONFERENCE.

CHAP. I.

REPEATED reflections on the series of past events, which memory enables me to retrace, have, my dear brother, convinced me that those men enjoy the highest felicity, who, advanced to the first honours of the ^apurest government, and adorned by the glory of their own achievements, are enabled to engage in public affairs with safety, and to withdraw with dignity to the calmness of retirement. And indeed there was a time in which I too thought, that if the multiplicity of my labours at the bar, and the toils of ambition

^a *Purest government.*] The Latin has it *optima republica*, by which Cicero means a constitution without any innovations from corruption or power; the sentiment here is worthy a Roman patriot, who had seen the constitution of his country subverted by a concurrence of both; and we may observe, he insinuates that no honour could be employed with satisfaction to the possessor, if it was not attended with public liberty.

into which I was led,^b after completing the career of public honours, had rested towards my decline of life, scarce any one could have thought it unreasonable, that I should have then begun to indulge some repose, and to dedicate my abilities to those amiable studies in which both of us are engaged. But those pleasing hopes and schemes were defeated by heavy calamities, both public and private: for ^cin the very place which bade fairest to afford shelter in case of a storm, misfortunes fell with the greatest weight, and the tempest burst with the greatest violence. This blasted my most earnest hopes, and most passionate desires of improving the sweets of retirement, by an amicable intercourse in cultivating those arts to which our early youth was dedicated. For in the commencement of life, I dashed upon the very wrecks of our ancient constitution; in my consulate I steered into the midst of those competitions which threatened to inundate the state, and
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^b There is here in the original an allusion to the chariot races, which being frequent and familiar to the Romans, were extremely beautiful in that age, but such a metaphor would appear lifeless and insipid, if we should pretend to adopt it exactly in a translation.

^c Any person who is ever so little acquainted with the Roman history, must be sensible that Cicero entered upon life just at the period when the Roman liberty began to receive those blows that afterwards subverted it, and in which he himself was a deep sharer.

^d This possibly alludes to his fine seats, which, upon his banishment, were sold and demolished by the interest and fury of Clodius and his party.

ever since have been buffeting those billows which, after I had repelled from my country, recoiled upon myself. And though my course has been impeded by tempestuous waves, and endangered by shallow straits, I shall still steer in pursuit of those studies in which we have both embarked, and all the leisure which the malice of my enemies, the interests of my friends, or the concerns of my country allow me, I will dedicate to composition. Besides, my dear brother, I shall ever pay the greatest deference to your entreaties and requests, for there is no man alive for whom I have either greater regard, or greater affection.

CHAP.

^e *Those billows.*] It is plain that the enemies of Cicero would have found it difficult to have affected him legally, had it not been for the uncautious part which he appears to have acted in the Catilinarian conspiracy, in putting the friends of Catiline to death; a conduct which, though he conceived to be warranted by necessity, was by no means agreeable to the principles of the Roman government.

^f *Ever pay.*] One cannot help observing with what art Cicero reconciles good manners to affection, and admiring a friendship so disinterested, yet so delicate, so full at once of respect and love. There are few passages that I would sooner venture to recommend to a reader than this, since it is certain, that the decay of the passion of friendship, among the moderns, is in a great measure owing to that fulsome freedom, and want of delicacy, which prevails among friends, and which often renders the strictest connections nauseous and cold. The avoiding this, I am convinced, was the true secret that produced such instances of exalted friendship among the ancients.

CHAP. II.

AND here I must recal to my memory ^aa conversation that passed many years ago, which I do not, I own, recollect with sufficient distinctness; but which, in my opinion, is directly calculated to answer what you want to be informed of, respecting the sentiments which the greatest and most eminent orators entertained of eloquence in general. For you have often expressed a wish that I should furnish you with a treatise somewhat more polished and complete on that subject, corresponding to the improvement I have acquired, by pleading in causes so numerous and important; because the undigested observations which I collected and published when a young man, appear unworthy of the experience and character I have since attained. And you often differed from me in our conversation upon those points, as I maintained that eloquence comprehends the acquirements of the ablest men, while you imagined that it ought to be considered as quite distinct from the refinements of science, and as founded solely in natural capacity, improved by practice. I own, indeed, I have been frequently at a loss to account, when contemplating

^a *A conversation.*] So much has been said by our best writers in commendation of the manner of treating a subject by dialogue, that it is needless to insist upon its uses here, any farther than to observe, that this subject particularly required to be treated in this manner; since Cicero thereby avoided that dogmatical air, which his treating this subject must otherwise have given him.

contemplating the greatest and ablest men, ^bwhy fewer have excelled in eloquence than in any other attainment. For to whatever science you direct your attention, you shall find that many have distinguished themselves, not only in the ordinary arts, but in those which require almost the greatest compass of genius. For is there a man existing, who were he to form his idea of public merit by great actions and useful consequences, would not prefer the character of a general to that of an orator? Yet will any one deny, that in this single city innumerable instances of consummate generals, ^cand but few, very

^b I am sorry to observe, that this remark of our author has in it very little solidity, though it is excellently well calculated for displaying his eloquence. Besides, great part of what he afterwards says, is the common cant of all writers upon the arts they excel in, or want to recommend, and our author has, by varying the expression a little, recommended philosophy as attended with the same excellencies he ascribes to eloquence here. *Vid. Qu. Tusc. L. 5. § 5.*

^c *Few good orators.*] Suetonius, or whoever wrote the lives of famous orators, accounts for this in a way that it is probable Cicero by no means thought for the honour of his country; for, we are told there, the Roman government was so jealous of the effects of oratory, that neither it nor grammar were suffered to be taught in Rome; and that, under the consulate of Fannius Strabo and Valerius Messala, who by the bye were consuls ninety-eight years before our author, all philosophers and orators were expelled Rome, by a decree of the senate. And indeed such a conduct was extremely agreeable to the maxims of a government which, by that time, had reason to be jealous of the effect which eloquence might produce upon the minds of a people impatient of living under a severe aristocracy,

very few of accomplished orators may be produced. In our own days, or in the recollection of our ancestors, many have risen with wisdom and abilities equal to the government and direction of a state, while for a long period not a single orator: and the number of those who have excelled as fine speakers, can scarcely equal the ages that have passed us. But lest it should be said, that eloquence ought rather to be compared with those attainments which lie within the wide and varied circle of the arts and sciences, than with the skill of a general, or the wisdom of a senator, let the person who makes this objection review those very attainments; let him survey those who have made a figure in them; then may he easily form a judgment how many have been distinguished by those, and how few ever have been, or ever can be by eloquence.

CHAP. III.

For you have surely observed, that what is termed by the Greeks *Philosophy*, is thought by the most learned men to be, as it were, the founder and parent of the fine arts; and it is hard to say how many men, learned, richly and variously endowed in their several professions, have appeared in this science; men, who have not confined themselves to a single province, but

either

cy, and watchful of every opportunity to shake off, or at least lessen their dependance on the senate. The experience of after-ages proved that this jealousy was but too well founded.

either by an indefatigable pursuit of ^kfirst principles, or the clearness of their reasoning, have mastered the whole compass of knowledge. We all know how dark, how perplexed, how complicated, and how subtile is the study of what we call the *MATHEMATICS*; yet so many great men have appeared in this department, that no man seems to have cultivated it in good earnestness, without succeeding in the attempt. Was there ever ^la musician, was there ever a professor of what

^k *First principles*] The terms here used by our author are extremely expressive in the Latin, but cannot bear a translation into English. *Pervestigioni scientiæ* can only signify reasoning from effects to first causes, the noblest philosophy, known to the ancients, and but little attended to among the moderns, who, till lately, for many ages were bewildered in the jargon of favourite systems.

^l *A musician.*] As no opinion upon our author can have equal weight with that of Quintilian, whose Institutes are indeed the superstructure of that foundation which Cicero has so well laid down in this treatise, I shall take the liberty to transcribe into English a passage or two from him, which proves what opinion the ancients had of music: “Every one
“ knows, that in former ages this art was not only studied,
“ but adored, and its professors were esteemed prophets and
“ sages. Were not Orpheus and Linus (to name no more)
“ believed to be descended of the gods? And it is told of the
“ first of these, that he not only quieted and charmed the
“ passions of men and the fury of wild beasts, but even made
“ the very stones and woods dance after him by the power of
“ his music. Timagenes says, that music is the most ancient
“ of all arts. The most famous poets are likewise of the same
“ opinion; for they introduce musicians at the feasts of kings,
“ singing the praises of the gods and heroes. Thus in Virgil,
“ Jopas is singing *Errantem Lunam, Solisque Labores*, by
B 4 “ which

what we term the study of grammar, who by intense application did not master the almost boundless power and subject of their several arts? I must at the same time affirm, that in the circle of liberal arts and sciences, we find fewer men eminent in poetry than in any other profession: "yet small as is the number of good poets, and very

"which that admirable poet asserts, that music is even joined with the knowledge of divine things."

But these are only a part of the lavish praises he bestows on music. Soon after he says, "Hitherto I have been only speaking in praise of music, but have not shewn its connection with oratory; I shall now proceed and shew, that among the ancients grammar and music were always joined together. Thus Archytas and Aristoxenus were of opinion that grammar was subject to music, and tell us, that both were taught by one master, &c." *Inst. Lib. I. Cap. 8.*

^m *Yet small.*] Though I very much doubt of this fact, yet admitting it to be true, it may I think be easily accounted for. Eloquence is an art, of which there is not one species that can be universally adapted to all places, ages, and governments: for instance, the species that prevailed in Greece was different from what prevailed at Rome (*See the Preface to the Orations*); that kind which Cicero used was different from that used by Pliny; the eloquence of the French is different from that of the English, and that of the Italians different from both. Whereas the language of great actions in a hero, of harmony in a musician, of a genius in a poet, or proportion in a mathematician, is a language understood at all times, by every people, and in all ages; it is a language not depending, as success in oratory does, upon the form of a government, the manners of a people, or the caprice of a judge, but founded on principles, and to be examined only by truth.

But what accounts still better for this observation of our
author

very small it must be allowed to be, if you shall take the trouble to enumerate those who have appeared both in Greece and in our own country, you will find, upon the comparison, that there

author is, that the true source of perfection in eloquence is emulation. If at a bar of any supreme judicature nobody should appear but those who neglect the ornaments of discourse, a man with equal knowledge of the laws, and very little application to the study of eloquence, may be the best pleader at such a bar, and yet not a good orator; therefore, in reality, good orators have only appeared in ages when emulation prompted them to study; when several great men applying to the same art, each endeavoured to outvie another, till one by his success and popularity eclipsed the glory of the rest, and that happy man in after-times was looked upon as the only orator, and engrossed the palm of eloquence to himself. Nothing can better illustrate this observation, than the fate of those orators who lived in the time of Cicero, who are now known only in his writings.

If it is objected, that poets are subjected to the same disadvantages, I answer—they are, when their case is that of orators, viz. when by the nature of their study they are led into an emulation of each other; for then the fame of the most excellent will swallow up that of the rest; and though the Roman empire in the Augustan age was crowded with poets of all kinds, yet the works of none have come to our hands, but those that in their own age were allowed to excel. But it is possible for two or three poets to live in the same age, and yet not clash with one another. Horace had no jealousy of Virgil: both excelled in a different way, and therefore both have been transmitted to posterity: whereas the others who attempted epic and lyric poetry in that age, and who were *longo proximi intervallo*, have been distanced by time, and shut out of the career of fame. A great deal more might be said on this subject, perhaps I should not have said so much, were it not that Cicero appears in this
passage

there have been more good poets than good orators. This appears still more surprising, as the knowledge of other arts is commonly derived from deep and abstruse sources, while eloquence consists in the most obvious principles, the knowledge of common life, and in the habits and conversation of mankind. In other arts, that is most excellent which lies farthest from the attainment and comprehension of the vulgar; whereas, in eloquence, the greatest error that can be incurred, is to deviate into abstruse expressions, and out of the beaten tract of *common sense*.

CHAP. IV.

NOR can it with truth be affirmed, that more apply to the study of the other arts; that they are animated in the pursuit by more exquisite pleasure, by fairer prospects, or more inviting rewards. Not to mention Greece, which has ever claimed preeminence in oratory, or Athens, where literature in all its branches was nurtured with maternal fondness, and where eloquence from its lowest origin rose to perfection, I will venture to say, that in this very city, no study

has passage to be very partial in favour of his beloved art. Upon the whole, we may venture to say, that this paradox of our author's may be accounted for by the circumstances attending the profession of ancient eloquence, rather than any extraordinary compass of learning, and difficulty that attends the study itself.

has ever been cultivated with more assiduousness than that of eloquence. For after we had acquired and established the empire of the world, and began, from the continuance of tranquillity, to relish repose, there was scarcely a young man of ambition, who did not think it his duty to cultivate eloquence with all the faculties he possessed. At first, indeed, when they were not yet inured to discipline, and destitute of the advantages of regular instruction, they owed all their progress, such as it was, to genius and application; but afterwards, when our countrymen heard the orators, mastered the literature, and employed the professors of Greece, they studied eloquence with incredible ardour. The importance and variety of the art, with the multiplicity of

ⁿ *To discipline.*] The reader may now perceive, that, in Cicero's opinion, there is a great difference betwixt a *well-spoken man* and an *orator*. I own that I conceive a very high opinion of the eloquence of those brave Romans who must have spoke good sense and manly sentiments, before eloquence became an art, and in some measure a trade. Quintilian, however, has admirably well explained this point.

"Do not even the bees extract that fragrant taste which honey alone can impart to human sense, from very different flowers and juices? Is there any wonder that eloquence (which is the greatest gift heaven has given to men) requires many arts to perfect it? and though they do not all appear in an oration, or seem to be of any use, they nevertheless afford an inward supply of strength, and are silently felt in the mind; *without these a man may be eloquent, but I want to form an orator*; and none can be said to have all the requisites, while the smallest thing is wanting." *Inst. Orat. L. 1. Cap. 7.*

of the causes of every kind, induced them to unite with theory, which they had attained by study, that practice which far surpassed in efficacy all the rules prescribed by their ablest masters. At that time, likewise, as now, the greatest rewards were annexed to the profession of this art, with regard to popularity, interest, and honour; and the capacities of Romans, as we may judge from many instances, were far superior to those of other nations. All this being considered, have we not reason to be surprised, that in so long a period of time, in circumstances so favourable, and in communities so various, the number of *good* orators should be so inconsiderable? But in truth, this faculty is more arduous, and comprehends far greater and more numerous acquirements than is generally imagined.

CHAP.

° *Capacities of Romans.*] This is so very wide of what Cicero himself knew to be the truth, that I am apt to think that he meant it ironically. Had he indeed lived some years later, he might have had some shadow of a pretence to have disputed the prize of excellency in eloquence and poetry with Greece in favour of Rome; but it is impossible he could be serious in what he says here. Architecture, eloquence, painting, music, mathematics, were arts in his time unknown to Rome, otherwise than as they were imported from Greece, who long before had brought them to the highest perfection. In short, he speaks here with a more than poetical licence, for Virgil has given up the point.

CHAP. V.

FOR what other cause can be assigned for the paucity of good orators, where the students are so numerous, the teachers so many, their capacities so excellent, the subjects so various, and the prizes so inviting, but to the amazing difficulty and extensiveness of the attainment? For there must be a fund of universal knowledge, without which the greatest fluency of speech will appear vain and ridiculous. Words must not only be well chosen, but properly disposed, and the speaker must have a thorough knowledge of all the affections which nature has implanted in the soul of man, because an orator is often called upon to employ all the force of eloquence, either in soothing or exciting the passions of his audience. With those must be added a certain grace, a sportive raillery, a liberality inseparable from a cultivated mind, a quickness and precision in repelling or attacking the adversary, joined with insinuating address and polished manners. He that aspires to the character of an orator, must likewise possess a perfect knowledge of antiquity, know how to apply precedents, and be conversant^p in the laws both

^p Orig. *Legum aut juris civilis.*] By the first he means the laws of nations, which were the foundations of general society. But the *jus civile* was appropriated to the citizens of Rome. A passage in our author, *de Officiis*, lib. 3. cap. 17, explains this difference, *Quod civile non idem continuo gentium, quod autem gentium idem civile esse debet.* See the translation of *de Officiis*, and note, p. 183.

both of nations and of particular states. Why need I mention *action* itself, which must be regulated by the motion of the body, the gesture, the look, joined to correctness of pronunciation and command of voice? Of how much importance this action is in itself, is demonstrated even by the trivial art of theatrical exhibitions. For though the chief excellence of an actor consists in adjusting his looks, his features, and gesture, does not every body know that few of them ever were, or can be endured with patience? Need I mention memory, that magazine of all knowledge, which, unless it becomes the faithful guardian of stored thoughts and inventions, renders other accomplishments, though possessed in the highest perfection, of no use to an orator?

Let us therefore be no longer surprised, that there are so few orators, since eloquence consists in a variety of accomplishments, any one of which it is a very difficult task to attain. Let us rather advise our children, and those whom we wish to see make a figure in the public stations of life, to reflect maturely upon the importance of the object, and to pursue it by means more efficacious, than the instructions and practice in common use.

CHAP. VI.

INDEED, no man can, in my opinion, deserve the praise of an accomplished orator, without a perfect knowledge of all the arts, and every thing

thing that is great; for it is from this acquaintance with the world that eloquence must receive its flow and its embellishments. Without this, let a subject be ever so well considered and understood by an orator, still there will be something feeble, and almost childish in his expression; yet I am far from laying such a burthen upon orators, especially those of this city, amidst such a hurry of business and multiplicity of affairs, as to require that they should be ignorant of nothing. Though indeed the energy of eloquence, and the profession of true oratory, seems to undertake and promise that an orator should be able to treat every subject that shall fall in his way with elegance and copiousness. But as this, I doubt not, will appear to most too arduous and extensive, and as I perceive that the Greeks, who possessed not only genius and learning, but ease and leisure for study, made a division of the arts; that one man did not embrace the whole circle, but set apart from every other species of elocution that which was more immediately adapted to disputes at the bar or deliberation in the senate, allotting that alone as the province of an orator: for these reasons I shall, in these pages, only treat of those principles which, after mature deliberation, and a long discussion, are almost universally allotted to this single species of eloquence. For this purpose I shall not detail the precepts which we learned, as it were, in the very cradle of education, but repeat the arguments which I heard formerly urged in a debate among

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some friends, men of the greatest eloquence and eminence in Rome. Not that I despise the principles which the Greek professors and teachers of eloquence have left us; but since they are well known, and in every body's hands, and impossible to receive any ornament or distinctness from my interpretation, you will pardon me, my dear brother, if, in my opinion, the authority of such of our own countrymen as all Rome allows to be finished orators, is^a to be preferred to that of the Greeks.

CHAP. VII.

I REMEMBER to have been informed, that when the Consul Philip furiously attacked the nobility, while

^a *Preferred to the Greeks.*] I am afraid this is not levelled so much at the Greek method of teaching oratory, as at the Greek eloquence, which in itself was more simple, uniform, and natural than the Roman, and consequently did not require all the auxiliaries which Cicero demands in an orator.

^r It is worth while to take a short view of the propriety and beauty with which Cicero introduces his drama in the three great dramatic circumstances, time, place, and characters: the time, when the cause of the nobility was on the point of being ruined by an overbearing consul, who ought to have been their patron and defender: the scene is Tusculanum, at a small distance from Rome, and the most beautiful retreat in the world: the persons, Crassus, Antonius, Scævola; the two first the greatest orators, and the last, one of the greatest lawyers of their age. Cotta and Sulpicius, two young gentlemen of the most promising appearances and great quality, assisted at the conferences. Cicero, as some learned men observe, introduced

while the tribuneship of Drusus, who supported the authority of the senate, was in appearance annulled. Lucius Crassus, as the Roman plays were celebrating, retired to Tusculanum, in order to recruit his spirits; and that Quintus Mucius, who had been his father-in-law, with Marcus Antonius, the colleague of Crassus in public, and his particular friend in private life, were of the party. Two young gentlemen, intimate companions of Drusus, and esteemed by the wisest men of those times, as likely to fill the highest posts in the government, went likewise along with Crassus; the one Caius Cotta, who then stood for the tribuneship of the commons; the other P. Sulpicius, who, it was thought, would be the next candidate for the same office. The party on the first day conversed much, and to a late hour, on the danger of the times, and the state of public affairs, which had occasioned their retiring to that place. Cotta used to relate, that during this conversation, a variety of observations was made with a melancholy concern by those three senators, in so prophetic a spirit, that there was not a single calamity that afterwards happened to the state, which they did not foresee to be hanging over it at that distance of time. But this

duced those great personages as bearing their parts in this drama, that he might wipe off the imputation of eloquence being taught at Rome by men of no quality or consideration in the state. We shall only observe farther, that Cicero puts his own sentiments, with regard to eloquence, in the mouth of Crassus.

this conversation being over, that, such was the graceful versatility of Crassus, when they withdrew to supper, nothing of the melancholy air that mixed in their late discourse appeared; so pleasant was his manner, and so well did he know how to exert his pleasantries, that though the day appeared to have been spent in the senate, yet at night they found themselves round the social board at Tusculanum. Next day, after the old gentlemen had sufficiently reposed, continued Cotta, they went, all of them, out a walking, when Scævola, after two or three turns, observed, Why Crassus, do we not imitate Socrates in the Phædrus of Plato, of which I am reminded by this plane-tree of yours, which to me appears by its spreading boughs as proper for shading this place, as was that which Socrates used to frequent; and which, in my opinion, flourished not so much by the rivulet which fed it, as by the lines of Plato which described it; if therefore he with his hard feet reposed upon the grass, where he delivered those sentiments which philosophers ascribe to divine inspiration, surely there is greater reason that my tender feet should be indulged in the same way. Very true, replied Crassus, but you shall sit still more commodiously, and then he called for cushions, and so all of them sat down upon the benches under the plane-tree.

CHAP:

CHAP. VIII.

COTTA used farther to tell me, that in order to wear off the impressions which their last day's conversation had made upon their minds, Crassus turned the discourse upon the study of eloquence; that he introduced what he had to say by observing, that Sulpicius and Cotta did not appear so much to require instruction as praise; since they had already attained to such a degree of perfection, as not only to excel those of equal age, but to rival speakers of more experience and riper years; nor indeed, continued he, can I conceive any thing more excellent than to be able by eloquence to captivate the affections, charm the understandings, and direct or restrain, at will, the passions of whole communities. This single art has, amongst every free people, especially in peaceful settled governments, met with the greatest encouragement, and been attended with the most powerful efficacy: for what can be more worthy of admiration, than that, amidst an infinite multitude, one man alone, or in conjunction with very few, should be capable of doing what Nature has put in every man's power? Or can any thing impart such exquisite pleasure to the ears and understanding, as a speech to which sentiments give dignity, and expression, embellishment? Is there any thing so commanding, so grand, as that the eloquence of one man should direct the inclinations of the people, the consciences of judges, and the majesty of senates?

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nates? Can, moreover, any thing be deemed so worthy of a generous and patriotic prince, as to relieve the suppliant, to raise the fallen, to communicate happiness, to avert danger, and to save a fellow citizen from exile? Can any thing be so necessary as to be furnished at all times with those arms, which, while they defend yourself, serve to attack the profligate, or redress any insult to your own character? But without always dwelling upon the forum, the benches, the rostra, and the senate; can any thing in retirement from business be more entertaining, more consonant to polished manners, than a language cultivated and sprightly on every subject? For this is the characteristic of our nature, which distinguishes us from brutes, that we have a social intercourse with one another, and are able to convey our ideas by speech. Must not every man then prefer this attainment, and own that to excel mankind themselves in that quality which raises them above the brutes, ought to be his principal study? But that I may mention the chief point of all, what other power could have been effectual, either to collect the dispersed individuals of mankind into one community, or to bring them from savage barbarous life, to a social regulated intercourse; or, after states were founded,

* The original is *retinere homines in civitate*, see oration for Milo, § 3. where he applies the same expression to his circumstances. The Romans were very delicate with regard to mentioning punishments, especially those that were capital, and if possible softened the terms.

founded, to enact laws to govern them, or to administer justice for their protection? To sum up in one word a subject almost boundless, I lay it down as a maxim, that upon the prudence and abilities of an accomplished orator, rests not only his own dignity, but the welfare of individuals without number, and even whole communities. Proceed therefore, my young friends, and employ the study in which you are engaged to your own honour, to the advantage of your friends, and the service of your country.

CHAP. IX.

To this Scævola replied, with his usual courtesy, In many things I agree with Crassus; far be it from me to impair the credit and honour of the profession of either my father-in-law, Lælius, or my son-in-law, Crassus; but, my friend, it is with some difficulty that I can admit two things you have advanced. The first is, that states were originally constituted, and have been often preserved by orators; the other is, that setting aside the forum, the public assemblies, the courts of justice and the senate house, you supposed an orator to be accomplished in every kind of eloquence, and all the duties of society. Will any man pretend, that when mankind in early ages roved on mountains and forests, they were induced to associate not by the counsels of sages, but that the harangues of orators softened them into humanity, and brought them to live within towns

towns and walls? Or, indeed, that other wise regulations, either in establishing or preserving states, were owing to those who spoke with ease and elegance, and not to the wise and powerful? Do you indeed imagine 'Romulus assembled his shepherds and mixed multitude, executed the scheme of the Sabine marriages, and repelled the power of the neighbouring states by his eloquence, and not by his foresight and wisdom? But farther, what say you of Numa Pompilius, what of Servius Tullius, what of our other kings, who made many wise regulations in settling this state, is there the least trace remaining of their eloquence? Nay, when monarchy was abolished, which I will venture to say was accomplished by the resolution, and not the eloquence of "L. Brutus; is it not manifest that all the great things performed afterwards, were full of wise conduct, but void of all eloquence? Were I inclined to produce instances in our own history, and in that of other states, I could undertake to point out more examples in which men of the greatest eloquence

^t *Romulus.*] Every body who is in the least acquainted with the Roman history, knows that of this father of the Roman state; we may only by the bye observe, that the affairs of the infancy of their city were not looked upon as fabulous in Cicero's days, whatever they have been since.

^u *L. Brutus.*] Though this great man was no orator, yet, if we may believe Livy, he was a very eloquent person. There is, however, great reason to be of Scævola's sentiments here, for it is probable that the fine speeches put in the mouths of his heroes, are all owing to the fruitful vein of the historian.

quence have been prejudicial, than all that can be brought of their having been serviceable, to their country. But not to mention others, the two most eloquent men I ever heard, except Crassus, you and my friend, were, in my opinion,^w Tiberius and C. Sempronii, whose father was wise and dignified, but far from eloquent; and who, upon several occasions, especially when censor, did the most important services to his country; yet this man^x transferred the sons of freed-men into the city tribes, not by a correct flow of eloquence, but by a nod, or a single word; which, unless he had accomplished, that constitution, of which we now possess only the shadow, had completely disappeared. But his eloquent sons, formed to the art of speaking by all the advantages of nature and learning, though they entered upon a government, rendered glorious both by the conduct of their father, and the courage of our ancestors, ruined the commonwealth by that eloquence, which, according to you, is best able to govern states.

CHAP.

^w *Tiberius and C. Sempronii.*] Our author means the celebrated T. and C. Gracchi, whose great abilities, integrity, and eloquence, have not had the good fortune to be transmitted to posterity in that favourable light, which, to any person who can without prejudice reflect upon the true maxims of Roman liberty, they must appear in.

^x *Transferred, &c.*] This had been before effected with regard to four city tribes, and it was an excellent expedient to balance the ambition of the people.

CHAP. X.

FARTHER, need I to mention the institutions and customs of our ancestors? Or the auspices over which you and I, Crassus, preside, to the great service of our country? Need I to mention our rites and ceremonies; or that jurisprudence that has been, without the aid of eloquence, long in our family; was that discovered, was it known, was it ever so much as touched upon by the tribe of orators? Let me add, that I knew Servius Galba, whose eloquence was divine, Marcus Æmilius Porcina, and Cn. Carbo himself, whom you, when but a very young man, surpassed, were both unacquainted with our constitution, unskilled in the institutions of our ancestors, and but novices in the civil law; and even the orators of the present age are strangers to the laws of the twelve tables, excepting you, Crassus, who, led by curiosity, rather than any province annexed to eloquence, studied the civil law under me, though it is to their shame I say so. As to the liberty you assumed in the latter part of your speech, as if an orator could never be at a loss to bear a very considerable share in discussing every argument that may fall in his way, were we not upon your own territories I should not suffer it, but put myself at the head of a numerous body, who would certainly either bring

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¹ *An action.*] The original is *interdicto tecum contenderet*, which is, that they would bring the pretor's decree against him.

an action against you, or² seize you as an intruder upon a province, to which you have no claim. For in the first place, the disciples of Pythagoras and Democritus would fall upon you; and the other philosophers in their several ways; and men of great weight and dignity would go to law with you, and, in that case, you must have a very ^{unequal} chance for success. Besides, a whole corps of philosophers, with Socrates at their head, would assail you, urging that you had never studied; nay, that you had not even attempted to enquire about what is morally good or bad in human conduct, the passions of the mind, or the end of living; and after they had thus attacked you in a body, you must then enter the list with each particular sect amongst them. The ^{academicians} would oppose you, and deny that you knew one single proposition you advanced. Our countrymen, ^{the Stoics}, would

² *Seize you as an intruder.*] There is another civil law term here; *manum conserere* was the form of challenging property; the person saying at the same time *meum est*.

³ *Unequal chance.*] Orig. *justo sacramento contendere non liceret*. *Contendere sacramento* was when both parties put a sum of money into the hands of the priest; upon the decision of the cause the loser to forfeit his deposit to sacred uses, and the other to have his returned. *Justum sacramentum* was when the case was so doubtful, it was hard to say who would be gainer.

⁴ *Academicians.*] They were generally sceptics, and used to puzzle their antagonists by denying every thing, but that they knew nothing.

⁵ *The Stoics and Peripatetians.*] To describe these two

would harass you by debates, or entangle you by questions. The Peripatetics would quite confound you, by insisting that those very qualifications, which you think to be the character and beauty of eloquence, can only be found amongst them; and they would prove that Aristotle and Theophrastus wrote not only better, but more upon that subject than all the professors of eloquence that ever lived. I pass over in silence your mathematicians, your grammarians, your musicians, whose arts have no manner of connection with the qualities you require in an orator. For these reasons, my friend, we ought not to entertain so high an opinion of the extensiveness and importance of this art; what you are able to effect, in reality, is a great deal, that whatever cause you shall undertake to plead, always appears the best and most probable; that in all public discussions the result is very much influenced by your eloquence. In a word, men of sense allow you to be eloquent, and fools believe you to be in the right. If you can effect more than this, you effect it, in my opinion, not by qualifications which are common to orators, but by advantages which nature has bestowed in particular upon yourselves.

CHAP.

sects of philosophers would take up more room than can be spared in these notes. There is an excellent account of them in Stanley's *Lives of the Philosophers*.

CHAP. XI.

I KNOW, Scævola, replied the other, that the Greeks maintained these opinions: for I have heard some of the greatest men of that age, when I came, as quæstor, from Macedon to Athens: at which time it was thought that the academy was in its glory, under the inspection of^d Charmades, Clitomachus and Æschines. Metrodorus likewise then flourished, who, together with them, had been the constant hearer of the famous Carneades, who was said to be the ablest and most copious speaker then living. Mnesarchus was then in vogue, and the hearer of your tutor Panætius, together with the Peripatetics Critolaus and Diodorus. Besides these, many philosophers, celebrated for their talents, at that time unanimously were for deposing^e the orator from the government of states, and excluding him

^d We are obliged to the learned Dr. Pearce for rectifying this name, which in former editions stood Carneades.

^e *The orator.*] In a state, such as was that of Rome, the qualifications of an orator only could be attained by a regular course of application to that single study; but I believe any man of tolerable sense must see that such an orator must be somewhat ridiculous in the present age, and be looked upon as a pedant. It is true, there is a certain species of the ancient eloquence still required, and no doubt has a very great effect, but the art of the speaker then will consist in his concealing his art. But as to the chief point in which a good speaker in Britain shines, which is that of debating, it is plain, from many instances of the greatest men, that a speaker may excel without either study or application to the art of eloquence.

him from all knowledge of the higher scenes of life, degrading and pinning him down to hard labour in courts of justice and petty cabals. But I neither agreed with them, nor with Plato himself, who first advanced those opinions, and far surpassed them in strength and elegance of language. I was then reading his *Gorgias* with *Charmades* at Athens; a book in which I could not help admiring the author, who in ridiculing orators, appears to be a complete orator himself. For disputes about words have long perplexed the petty wits of Greece, who are far more contentious for victory than for truth. But if it were allowed that the only qualifications of an orator is to speak with copiousness at the bar on any point of justice, yet, with this limitation, his attainments must be great and various: for even in treating those subjects with accuracy and clearness, he must be possessed of great experience in civil affairs, with an insight into our statutes, customs, and laws; he must likewise be a competent judge of human nature and manners; and the man who is master of all these, without which even the smallest point that occurs cannot be rightly maintained, what can such a man be said to want in the knowledge of the most important affairs? But admitting that the province of eloquence extends not beyond an accurate, polished and copious style, let me ask you how can even these requisites of composition be attained without that kind of knowledge which you deny to it? For eloquence can never exhibit all its force,

force, but where the orator is a complete master of the subject. Therefore if *Democritus*, the famous natural philosopher, spoke so gracefully as it is said, and as I admit he did, his subject indeed was natural philosophy, but it was *the art of oratory* that gave the embellishment to his discourse. And if *Plato*, as I must allow, discoursed divinely upon points the most remote from political disquisitions; if *Aristotle*, if *Theophrastus*, if *Carneades* wrote with propriety and beauty on the several subjects they discussed; those subjects belonged to distinct arts; yet their method of handling them was peculiar to the faculty, the merits of which we are now examining. As a proof of that, we know that others have spoken without interest and without effect upon those very points; for instance, *Chrysippus*, who is said to be a man of the greatest penetration; and yet was not the less complete philosopher for not possessing this faculty, in an art foreign to eloquence.

CHAP. XII.

WHERE then lies the difference, or how can you discern the flowing and copious eloquence of those

[*The art of an orator.*] Cicero would never have advanced this proposition had it not been from the excessive passion he had for his own profession, since nothing is more plain, from daily experience, that a clear head and a comprehensive knowledge of a subject will make almost any man eloquent, though he should never read a word upon the art of an orator.

those I have named from the feebleness of such as are destitute of this command and propriety of expression? In short, there is one thing which the masters of the art of speaking claim as peculiar to themselves; a style graceful, adorned, and distinguished by certain masterly touches, and ingenious polish. Yet all this beauty of language, if the subject itself is not thoroughly understood and comprehended by the speaker, must be either empty or ridiculous: for what can look more like a madman than to pour out an empty jingle of words, let them be ever so beautiful or well chosen, if they are connected by no method or meaning? If, therefore, an orator, in any art and branch of science, should study a subject with as much application as he would a client's cause, he would deliver himself with more ² propriety and elegance than even the inventor and artist himself could be able to do. For if one should affirm that certain discussions are peculiar to orators, and that their knowledge of some points is confined within the pale of the forum, I will own indeed that those of our profession are most conversant in debates of this kind,

² *Propriety and elegance.*] This in one sense may be true, but if we regard the ends of speaking, which are to move and persuade, we shall find that the true way to succeed is to feel. A man who is himself deeply interested in an event will, with equal capacity and no study, make greater impressions before a judging assembly than another with all the application and art of an orator that Cicero was ever able to lay down. The reader will perceive that I all along take it for granted, that Cicero in the person of Crassus gives us his own sentiments.

kind, but in respect even to these there are many things which the professors of rhetoric neither teach nor understand. For who does not know that the principal force of eloquence consists in awakening the soul to anger, to hatred, to grief; or to recal her from these affections to gentleness and pity? This arbitrary command of the passions can never be effected, but by one who has a thorough knowledge of mankind, the whole extent of the human faculties, and those motives which impel or check the soul. Yet all this appears to be the province of philosophy, and, were an orator to be guided by me, he would never deny this; but after he has granted them this knowledge, which is the sole end of their study, let him assume to himself the method of treating it, without which the knowledge itself cannot exist. For, as I have often said, the province of an orator is to use a language that is proper, graceful, and suited to the affections and understandings of mankind.

CHAP. XIII.

I own that Aristotle and Theophrastus have treated of those matters; but observe, Scævola, that this is in favour of my position. For I do not borrow from them what is in common to philosophy and eloquence; but they own that all their disputations upon these points belong to orators. For this reason, they describe their other works under denominations borrowed from the

the several arts they treat of, but they call these books of rhetoric. When, therefore, as it often happens in the course of their publications, they speak of the immortal gods, of piety, of concord, of equity, of friendship, of laws, of society, of nature, of nations, of temperance, of magnanimity, and, in a word, of all the moral duties, the academies and the schools of philosophers exclaim, all to a man, that all these subjects belong to them, and by no means to the orator. I shall not deny them the privilege they assume of discussing, in obscurity, all these subjects; yet I affirm that the orator dilates with perspicuity and elegance on those points which they dispute with barren and inanimate frigidity. I conversed on these topics with the philosophers who then flourished in Athens, at the instigation of my friend M. Marcellus, who was then a very young man, ardently devoted to these studies, but who is now curule ædile, and who, were it not for the games now celebrating, would have made one of our company. In respect to the enacting of laws; to the questions of peace and war, of forming alliances, imposing taxes, and of political subordination, let the Greeks, if they please, alledge that Lycurgus or Solon, whom, by the way, I look upon as accomplished orators, were much better skilled in these subjects than Hyperides or Demosthenes, who excelled all others in the art of speaking; or let them prefer our decemviri who compiled the twelve tables, and who certainly were men of sagacity,

to

to Servius Galba, or your father-in-law, Caius Lælius, to whom the palm of eloquence is universally allowed. For I will never deny that there are certain arts peculiar to those who have made it their whole study and pursuit, but I call him the finished and accomplished orator, who can speak, on every subject, with copiousness, accuracy, and variety.

CHAP. XIV.

FOR, very often, in those causes which are universally allowed to be within the province of an orator, there is something to be derived, not from the practice of the bar, which is the only knowledge you allow to public speakers, but from some more abstruse science. Let me ask you if a man can plead either for or against a general without knowing military affairs, and often without being acquainted with the situation of maritime and inland countries? Can he speak before the people either for enacting or forbidding a law? or can he talk of civil polity in general in a senate, without the deepest insight and sagacity with regard to civil affairs? or can he apply that predominant effect of eloquence in inflaming or extinguishing the affections and emotions of the soul, without attentively surveying all those causes which are explained by those who have treated on moral and natural philosophy? I know not whether what I advance is likely to meet your approbation, but I hesitate

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not

not to speak my sentiments. The knowledge of physics, mathematics, and of the other arts, which you, some time ago, laid down as appropriated to their several professions, belong to those who profess them; but if a man wants to explain those very arts, he is obliged to have recourse to eloquence. For admitting that the famous Philo, the architect, who built ^h the arsenal at Athens, gave the people a very eloquent account of his work, yet we must not suppose that this was owing to the art of architecture, but of eloquence. Nor, if Antonius here were to plead for ⁱ Hermodorus, in regard to the construction of ships, after he had made himself master of his subject, can we imagine that he would not be able to talk of it with perspicuity and elegance, though an occupation foreign to his own? Or that Asclepiades, who was both my friend and physician, and is more eloquent than any other of that faculty, was indebted for his graceful way of speaking to the study, not of eloquence, but of physic. For this reason the declaration of Socrates was rather plausible than true, that every man is sufficiently eloquent on subjects of which he has a thorough knowledge. He had been nearer the truth had he said, that
as

^h *The arsenal.*] Pliny, lib. 7. speaks of this arsenal, and tells us that it was so commodious, and so large, that a thousand ships might have been drawn up to it, and might have lain dry, without being exposed to the injuries of the weather, or the seas.

ⁱ *Hermodorus.*] He was a famous ship carpenter.

as no man can be eloquent upon a subject on which he is ignorant, so no man, however conversant with his subject, can ever talk eloquently upon that subject, if he is ignorant how to form and polish his discourse.

CHAP. XV.

IF, then, a comprehensive definition of an orator were to be given, I would say that the speaker, who justly claims this respectable name, is he who, upon all subjects, shall be able to deliver his sentiments with accuracy, perspicuousness, grace, and fluency, accompanied with a certain dignity of action. But if any one should think that I speak too indefinitely when I say upon all subjects, let him, as far as he thinks proper, limit the definition; yet if an orator is ignorant of the properties of other arts and studies, and shall only retain what is appropriated to debates and the practice of the bar; if he is to speak upon subjects belonging to those arts; I maintain that this orator will speak much better, after he is instructed in them by the respective professors of each, than even those professors themselves. For instance, were my friend Sulpicius here to speak on military affairs, he would first apply for instruction to my kinsman Caius Marius, and then he could talk of it so as to seem, even to Caius Marius, almost to understand the subject better than himself. Suppose the point of discussion to be
D 2 civil

civil law; he would then apply to you, and, notwithstanding all your skill and experience in that study, excel you in those very subjects which he learned of you. Should a cause occur, in which he must make some strictures on the nature and vices of mankind, on the passions, on temperance, chastity, sorrow, or death; perhaps if he sees occasion, (though an orator should know those things), he may confer with that learned philosopher Sextus Pompeius. He will, at least, be able to surpass, in eloquence, the person, whoever he may be, that furnished him the instruction. But if my opinion may be followed, since philosophy is divided into three branches, natural, argumentative, and moral, let us indulge ourselves so far as to abandon the two first; but unless we adhere to the third, which has still been the character of eloquence, we leave nothing to an orator in which he can shine. That branch of philosophy, therefore, which regards the conduct and morals of mankind, must be completely understood by an orator; and though he does not study the other branches, yet, if he has occasion, he will be able to embellish them by his eloquence, provided they are communicated and delivered to him.

CHAP. XVI.

FOR if it is certain among the learned that *Aratus, a man quite ignorant of astronomy, treated of

* *Aratus.*] This poet was a Sicilian patronized by Antigo-

of the heavens and the constellations in most beautiful and charming numbers; if Nicandar of Colophon, a person very remote from rural scenes, wrote in the true genius of poetry, and not in a style of rusticity, what should hinder but that an orator should treat those points, which he may study for a particular purpose, with the greatest eloquence? For poetry has a near affinity to eloquence; the poet is indeed a little more confined to numbers, but then he can take greater liberties in the choice of his words, and in most of the arts of embellishment he is on an equality with, or at least not much inferior to, the orator. ¹In one respect I will venture to say they are nearly the same; for the orator prescribes no bounds or limitations to his province,

nus, King of Macedon, and cotemporary with Menander and Callimachus. Cicero was so much in love with his writings, that he translated his *Phænomena*, some part of which translation is now extant.

As to the doctrine which our author here lays down, there is nothing more certain than that a poet may describe an art without studying it, or particularly applying to it. But I am afraid it will be found there is a difference betwixt writing in verse, where a very superficial knowledge is required to make a very fine episode; and speaking of them in prose, where it is expected all the terms made use of are to be clearly laid down, and in case of any difficulty or reply they must be explained, which can never be done without the speaker being a perfect master of his subject.

¹ *In one respect.*] This is true with regard to the principles of eloquence laid down and practised by Cicero; but certainly it does not hold as to the Greek manner, where truth alone is the object, or at least appears to be so.

province, so as to confine him from using the same liberty, and freedom of ranging, as he pleases. Why then, my friend, should you say, that were you not upon my territories you would not have borne with me for affirming that an orator ought to be a complete master of eloquence and all liberal knowledge? I should not, indeed, have mentioned it, did I imagine myself to be such a person as I describe. But as C. Lucilius, a man of letters and good breeding, but with whom you are displeased, and for this reason less intimate with me than he could wish, used frequently to say, (and I entirely agree with him) that no man ought to be accounted an orator, who was not thoroughly accomplished in all those arts that become a gentleman; and though it might not be proper on all occasions to display our knowledge of them, yet it should always appear that we are not strangers to them. For instance, a man who plays at tennis, though while he plays he does not use the very airs that he learned at the fencing school, yet we can easily perceive from his movements whether he has learned them. From the rude draught, in which a particular piece is sketched, it may easily be discovered, though unconnected with painting, whether or not the author can paint. Thus, in the very speeches delivered before judges, in assemblies, and senates, though the speaker does not make any immediate application of those arts, yet it is easily discerned whether he is a pedantic declaimer, or trained to eloquence

eloquence by all the arts that belong to a liberal education.

CHAP. XVII.

As you so well illustrate, by your own talents, the art for which you contend, replied Scævola, smiling, I will, to use your own allusion, *wrestle* with you no longer. You agree with me as to those things which in my opinion do not belong to an orator, yet, I know not how, you have in a manner retorted your argument, so as to prove them the properties of eloquence. After I came to Rhodes, when I was prætor, and communed on what I had learned from Panætius, with Apollonius, the celebrated master of his profession; he indeed, as usual, with affected contempt, ridiculed philosophy, and said a great many things in which there was more wit than wisdom; but you have formed your argument so as not to despise any art or profession, but pronounced them all the attendants or handmaids of eloquence. Should any one man be master of them all, and to these accomplishments join that of "a complete orator,

^m *A complete orator.*] Our author's inordinate passion for praise, made him seize every opportunity of drawing his own picture as an orator; it would appear from this and many other passages, in a few pages following, that he imagined it must have a likeness, if all the fine things that he could form in imagination were crowded into it; that it was impossible to overdo in this respect, and that the more beautiful it was it must bear the stronger resemblance.

orator, I must confess he would be an extraordinary character and deserving of high admiration. But if at any time such a character existed, or can hereafter exist, you are the person who, in my opinion, and in that of all mankind, have realised it, and surpassed all other orators (whom I wish not to offend) in the glory of eloquence. But though you want nothing that can qualify you either as a speaker or a senator, yet give me leave to say, after all, that you are not master of all that knowledge to the extent which you require in an orator; let us therefore examine whether you do not require more than either the nature of the thing, or truth itself, can admit of.

Let me put you in mind, says Crassus here, that I did not talk of my own accomplishments, but of those of an orator. For what could I learn or know? I who entered upon action before I entered upon my studies! I, who was even worn out by my application to the business of the forum, of ambition, of my country, of my friends, before I was capable to suspect I should be employed in those weighty points! But if you have so favourable an opinion of me, to whom you are so kind as to allow some degree of capacity, (yet still I was deprived of the opportunities of study, of quiet, and, if I must say it, of that ardent thirst for knowledge that is so necessary,) what will be your opinion of a man who has improved more genius than I possess, with those qualifications that I have never attained?

How

How great, how complete an orator, must such a man be!

CHAP. XVIII.

You, answers Antonius, are yourself, Crassus, a proof of what you advance; and I make no doubt but a person would be a much more powerful speaker, if he possessed all the treasures of knowledge, in nature and in the arts. But, in the first place, that is almost impracticable, especially considering our profession and business; and then it is to be apprehended that the pursuit of knowledge so comprehensive would preclude the practice of pleading with fluency in the forum, or before the people. For, to me, the persons above mentioned seem to have possessed a different kind of eloquence, though it must be allowed that they spoke with great beauty and energy upon natural or moral subjects. Their manner of discoursing had somewhat in it that was elegant and sprightly; but then it was more proper for an exercise at school, or a college, than for our crowded assemblies and forum. For I myself, who began very late in life to study Greek, and then attained only to a smattering of it, after I had come to Athens as proconsul, in my road to Cilicia, was detained there a good many days, because the "seas were then dangerous.

"Seas were dangerous."] In the original there is various

ous. As I had every day along with me very learned men, most of whom were the same with those you lately mentioned, and who supposing, like you, I know not on what authority, that I was frequently concerned in some causes of consequence, used, each in his own way, to debate upon the duty and qualifications of an orator. Some of them, such as Mnesarchus, affirmed, that those, whom we term orators, were men, who, by frequent practice, acquired only a correct volubility of speech : but that no man, unless he is a philosopher, can be an orator ; that eloquence itself, which is the same thing with knowing how to speak well, is a talent ; that the man who possesses one faculty, possesses all other faculties ; and that all faculties are in their own nature equal ; hence, said they, the man who is eloquent possesses every faculty, therefore an orator is the same with a philosopher. But this crabbed, insipid reasoning was very disagreeable to our notions. Yet Charmades treated those subjects in a much more diffuse manner ; not that he would speak his own sense of the matter, for it is a custom hereditary in the academy to be eternally disputing ; but the drift of all his discourse was to prove, that they who are termed rhetoricians, and they who teach the art of speaking, cannot possess any one excellency, or ever attain to the smallest share of eloquence, unless they have studied the discoveries of philosophy.

CHAP.

readings, and the passage may be translated either as I have, or *waiting for the opportunity of a ship.*

CHAP. XIX.

THEY were opposed by some eloquent Athenians, men well versed both in law and politics, amongst whom was Menedemus, who lately was at Rome and my guest. This person, who was naturally quick, was attacked by another richly endued with learning and experience, to a prodigious variety and extent, who maintained that there was a certain knowledge requisite to judge right with regard to the establishment and regulation of civil societies. He likewise insisted that all the branches of knowledge must be derived from philosophy ; that all the constitutions of government, religion, education, justice, patience, temperance, moderation, and the other virtues, without which states cannot subsist, or if they could, cannot be well regulated, were never to be found in their pamphlets. But if those teachers of rhetoric did comprehend within their own art the force of these important subjects, he asked why their books were filled with exordiums, epilogues, and other puerilities, as he called them ; maintaining that there is not a tittle to be found in their compositions about the modelling of states, the composing of laws, about equity, justice, truth, governing the passions, and regulating the morals of mankind. He went even so far in ridiculing their doctrines, as to shew that they were not only void of all the learning they arrogated to themselves, but even of the very art and power of speaking. He laid it down as a maxim that the principal aim of a good orator is

to appear to his audience the very man he wishes they should take him to be. That this could only be effected by a dignity of character, of which these teachers of rhetoric are silent in their rules, and by making every impression upon the minds of the audience that the orator desires; that it is impossible to succeed in this, if the speaker is ignorant in how many different ways, by what subjects, and by what artifices of language, the passions of mankind are moved and directed. But that all these were points which lay concealed in the bosom of philosophy; points, of which those pretended masters had not imbibed even a smattering. Menedemus endeavoured to confute this doctrine by authorities, rather than by arguments; for he repeated by heart a great many fine passages from the orations of Demosthenes, and endeavoured to prove from thence, that Demosthenes knew well how to touch and direct, as he pleased, the minds both of the judges and the people, which are the means of attaining that end which the other said could be obtained only by philosophy.

CHAP. XX.

To this his opponent answered, that he did not deny, but that Demosthenes was a skilful master of all the powers of eloquence; whether he had attained this by the force of genius, or by his attendance on Plato, of whom he indisputably was

a follower; but that the question respected not what *he* could effect, but what *they* taught. He likewise went so far as to dispute whether there absolutely was such an art as that of speaking, and supported his opinion by the following arguments: that we are born with a power of soothing and conciliating those whom we want to court; of terrifying our foes by menaces; of explaining a fact; of enforcing what we wish should be believed; of refuting what we oppose; and of concluding in affectionate and pathetic terms; qualities, in which the whole art of an orator is employed. He farther insisted, that custom and practice both quickened the understanding, and improved the faculty of speech. He then had recourse to a variety of instances; and first alledged it as an acknowledged fact, that no writer upon eloquence was himself tolerably eloquent. This he confirmed by the example of *Corax* and *Tisias*, who appear to have been the inventors of, and leading men in, this profession. At the same time he brought innumerable examples of very eloquent men, who never made it their study, or never made it their care to attain the knowledge of it. Among others, whether he thought so, or heard it as the opinion

** Corax and Tisias, both of them Sicilians, are the most ancient writers upon the arts. Quintilian inst. lib. iii. cap. 1. Quintilian, no doubt, means that they were the first that treated the arts systematically, for there were many excellent authors in most arts before their days. They were cotemporary with Hiero of Syracuse, 475 years before Christ.*

opinion of others, I cannot say, he instanced me as one who had never studied it, and yet, as he was pleased to say, understood a little how to speak. I readily admitted the first of these positions; that I had never studied any thing on this head; but as to the other, I thought he was deriding me, or perhaps himself mistaken. He next even denied that there could be any art, but what consisted in principles that were self-evident, thoroughly examined all tending to one point, and always consistent; but that every thing delivered by orators was doubtful and uncertain; since the teachers themselves were not quite masters of what they were teaching, and their scholars were to learn, not a science, but a mistaken, or at least a doubtful, short-lived opinion. In a word, he would fain convince me that there neither was, nor possibly could be, any art in eloquence, and that no man could speak, either with skill or copiousness, without being acquainted with the precepts of the most learned philosophers. To this Charmades used to add, admiring, Crassus, your eloquence, that I was an attentive hearer, but you a pertinacious opposer of his sentiments.

CHAP. XXI.

BEING at that time misled by these maxims, I maintained in a small volume which I then wrote, and which was published without my knowledge

knowledge and consent, that I knew many *good speakers*, but not one *orator*. What I meant by a *good speaker*, was one who could speak with tolerable clearness and accuracy, and came up to the general notion of oratory among mankind. But by *an orator* I meant one who treated every

subject

[*An orator.*] Cicero, in the following part of this paragraph, as I have observed before, has given his own picture the most perfect resemblance to the original; *si sic omnia dixisset!* Had he known his foibles as well as he did his beauties; had he trusted for fame to his character as an orator, no man could ever have appeared to posterity with greater lustre. But, alas! he wanted that steadiness of head, that inviolable adherence to principle, which alone can reconcile the character of the best citizen and magistrate to that of the best speaker that ever lived.

It has frequently been a surprise with the learned, that Horace and Virgil, who have paid compliments in their writings to much more obnoxious characters than that of Cicero, have taken no manner of notice of our author, when they had so many fine opportunities. I own I cannot account for it any other way than by imputing it to the disgust which his wavering timid conduct in public affairs left behind him. Which inclines me strongly to believe this is the famous character drawn by Horace in the following lines.

*Justum et tenacem propositi virum,
Non civium ardor prava jubentium,
Non vultus instantis tyranni
Mente quatit solida; neque auster
Dux inquieti turbidus Adriæ,
Nec fulminantis magna Jovis Manus:
Si fractus illabatur orbis
Impavidum ferient ruinæ.
Hac arte fretus, &c.*

The man resolv'd and steady to his trust,
Inflexible to ill, and obstinately just,

subject which he wished to discuss with a force and splendour of language that commanded admiration; one whose faculties comprehended all the treasures of knowledge which can enrich or inspire eloquence. Though this seems impracticable to us, who, before we entered on the study of eloquence, were entangled in the pursuit of AMBITION and the forum; yet still it must be allowed to be within the compass of actual attainment. For my own part, so far as I can form
a judgment

May the rude rabble's insolence despise,
Their senseless clamours and tumultuous cries:
The tyrant's fierceness he beguiles,
And the stern brow, and the harsh voice defies,
And with superior greatness smiles,
Not the rough whirlwind that deforms
Adria's black gulph, and vexes it with storms;
The stubborn virtue of his soul can move;
Nor the red arm of angry Jove,
That flings the thunder from the sky,
And gives it rage to roar, and strength to fly:
Should the whole frame of nature round him break,
In ruin and confusion hurl'd,
He unconcern'd would bear the mighty crack,
And stand secure amidst a falling world,
Such were the god-like arts that led
Bright Pollux to the blest abodes.

ADDISON.

Besides the striking import of this character, there are in it two touches very characteristic of our author, that I am convinced it was meant as an apology for the orator owing no immortality to the poet; and though we have no hint of this from antiquity, yet if one will consider how intelligible allusions are in the time of the author, and how necessary it is thought to illustrate them, he will not be surprised why the

judgment founded on the capacities which I discern amongst my countrymen, I doubt not, but some time or other a person will appear, who, by a closer application, with more abundant leisure, with parts more solid and cultivated, with diligence more persevering and patient, shall devote himself to instruction and composition more than it was in my power to do; shall realise the character we now form of a perfect orator, and be esteemed with justice not only correct but eloquent.

intention of the author in this, and many other fine passages is doubtful. The first hint I would take notice of in the foregoing lines is *dux inquieti turbidus Adriæ*. The reader may compare this with the circumstances which we are told by Plutarch of Cicero; that this dread of the seas was the occasion of his abandoning his wise and generous resolution to go over to Brutus in Macedonia. That this dread farther prevailed upon him to think of the mean-spirited design of throwing himself upon the clemency of Octavius. Farther, that in one night he was of twenty minds, and quite distracted with irresolution; I say, if a reader will compare all these circumstances, he will find very little room to doubt that Horace, in drawing this portrait, and marking it so strongly, had our author in his eye.

The next passage I would take notice of, is the expression, *hac arte Pollux, &c.* which I am afraid glances at our author's trusting so much to his qualifications in this art for immortality. Nay, I will venture to say, that to a man who knows the beauties of Horace, and with what propriety he introduces every expression, it will appear that Horace could not but have intended an allusion to a particular character. I could say a great deal more to support what I have here thrown out, but perhaps I ought to make an apology for having said so much.

E

quent. My friend Crassus is such a character in my judgment, or if there is a person of equal genius, but with greater practice in hearing, reading, or writing, I own that I could enlarge a little more still on such a man's praise. Here Sulpicius interrupted: It is, said he, an exceeding agreeable disappointment, both to Cotta and me, that our discourse has taken this turn; it gave us great pleasure while we were coming here, to think that if you should enter with us even upon other subjects, yet still we should be able to collect somewhat, from what you said, as worthy of being remembered; but we hardly presumed to hope that you would enter on this important subject of eloquence, whether you give it the name of study, art, or faculty. For though ever since my entrance on life, I felt the warmest admiration for you both, and even love for Crassus, and though I never left his company, all I could do by myself, all my repeated endeavours by means of Drusus, could never draw a word from him upon the power and province of orators. But I must be so just to you, Antonius, as to own that, upon this head, you never disappointed me, but always complied with my earnest requests, to be instructed by you in regard to your peculiar manner of speaking. But now as both of you have cleared the entrance to these very objects which we were pursuing, and as Crassus himself first started the discourse, indulge us with a minute detail of your own sentiments upon eloquence in general, which, if you grant

grant us, we shall be infinitely obliged, Crassus, to your instruction at Tusculanum, and prefer this your rural recreation to the academy at Lyceum.

CHAP. XXII.

INDEED, Sulpicius, answers the other, we must apply for this to Antonius, who is both able, and, as you told me just now, is used to answer your importunities; for you have yourself just acknowledged that I always declined to converse upon the subject, in opposition even to your own earnest requests. This I did, not from any motive of pride or unkindness, nor from any unwillingness to oblige you in your curiosity, which is highly proper and laudable, especially as I knew that nature had peculiarly formed and qualified you for an orator; but, my refusal, I assure you, proceeded from my entire unacquaintance with the ^aprinciples of this pretended art. Since, answered Cotta, we have surmounted our greatest difficulty, which was to prevail upon you, Crassus, to speak at all upon this subject, it will be our fault now if you get off from us without explaining every thing we want to know.

Then

^a Principles of this pretended art.] *Earum rerum quæ quasi traduntur in arte*, say the common editions; *quæ quasi in arte traduntur*, says Dr. Pearce's, and to be sure he is right; for the genius of the language will not suffer the first order of the words to admit of what Cicero certainly meant, as I have translated it.

Then, says Crassus, as we used to write in our administrations, I WILL SPEAK TO WHAT I KNOW, AND WHAT I CAN. Is there a man here, answered the other, that has the assurance to require to know, or to do, any thing that is beyond your power or knowledge? Well, replies Crassus, reserving to myself the plea of inability, where I am really unable, I am at your service in answering all the questions you shall think fit to propose. Then, said Sulpicius, to begin, we require that you give your opinion with regard to those points that Antonius some time since has started; do you think that eloquence can properly be called an ART? What! replied Crassus, the question you propose is a mere quibble, such as is usually discussed by the trifling loquacious, though perhaps learned and cultivated wits of Greece. When did I give you reason to conclude that I respected, or rather did not hold in contempt, the assurance of those men, who, when they had placed themselves in the chair of oratory, demanded, in a crowded assembly, *whether any man had any question to discuss?* This is a practice said to be

¹ *Administrations.*] In the original *cretionibus*. I have translated it by the nearest words I could light of in our language. The *cretiones* were of two kinds; the one vulgar, in which the words *quibus scio poteroque* were inserted; the other absolute, in which they were not inserted. *Ulpianus, Tit. 22.*

² *Whether any man had any question to discuss.*] I am sorry to observe it, but it appears from this passage, that quackery,

be introduced by Gorgias of Leontium, who thought that he undertook something that was great and surprising, when he pronounced that he was ready to speak upon any subject that any one of his audience, whoever he might be, desired to hear. This afterwards became, and still is, their common practice; insomuch, that there is no subject so important, so unexpected, or so new, that they do not pretend to discuss, as fully as it possibly can be. If I thought, Cotta, that you or Sulpicius wanted to be entertained in this manner, I would have brought along with me some Greek to entertain you with such disputes, which indeed is no hard matter still to effect: for there is a Peripatetic, one Staseas, at the house of M. Piso, a youth devoted to this study, and possessing the finest understanding, and much attached to me. With this Staseas, and he appears by the general consent of all competent judges to be at the head of this sort of disputation, I am well acquainted.

CHAP.

ery in learning is of a very ancient date. These philosophers were a kind of intellectual prize-fighters; of such we have had great plenty since; one Crichton, a Scotchman, in the 16th century, was a perfect knight errant in this way; for he made the tour of Europe, and published placards wherever he came, that he was ready to dispute with any man not only upon any subject, but in any language his opponent should chuse. If I am not mistaken, he likewise offered to dispute in prose or verse; so very indefatigable was he in rendering himself ridiculous.

CHAP. XXIII.

WHY do you talk to us, answered Mucius, of your Staseas and your Peripatetic? You must, my friend, indulge the young gentlemen; they want not to hear the daily prate of an unexperienced Greek, nor a scholastic legend; they want to know the sentiments of the wisest, the most eloquent man of his age, of the man whose understanding and eloquence qualify him to take the lead, not in the subtleties of learning, but in the importance of the causes he manages in this august seat of empire; it is in the footsteps of a man like this, that they desire to tread. For my part, though I always imagined you to be divinely eloquent, yet I never thought you more distinguished by eloquence, than by polite literature. It is in this character that you are now to appear, nor must you decline the disputation to which you are invited by two young gentlemen of distinguished talents. I assure you, replies Crassus, I am ready to obey them, and to give them my sentiments in my own brief manner upon any subject. And, Scævola, in the first place, as I cannot with propriety overlook what you mentioned, I think that eloquence is either not at all an art, or has but slender claims to that appellation; but that all the difference among the learned, on this head, lies in words. For if, as Antonius said a little while ago, the definition of an art is, that it consists of points thoroughly examined,

examined, clearly understood, abstracted from the caprice of opinion, and bounded by the principles of science; to me there seems to be no such art as that of eloquence. For all our pleadings at the bar vary in kind from one another, and must be suited to the understandings of the common people. The observations which have been deduced from the practice of pleading, by men of taste and discernment, have been properly expressed, have been illustrated by examples, and distributed under distinct heads, which I understand has been done, I see no reason why it should not in a popular way, though not in philosophical steadiness, receive the denomination of *art*. However, whether it be an art, or the semblance of an art, it ought by no means to be neglected; but we must still take it for granted that some higher qualifications are required to attain it.

CHAP. XXIV.

ANTONIUS then said, that he cordially agreed with Crassus, that he neither owned it as an art, in the sense of those who reduce all the powers of eloquence to the rules of art, nor absolutely denied its claims to that appellation, as is done by most philosophers. But, Crassus, continued he, I believe it will oblige these gentlemen, if you point out the method by which you think they may improve in the faculty of speaking, more effectually than they can be aided by the art itself. I consent, replied he, as I am now upon

the subject; but I beg that what I say in the freedom of conversation, on this occasion, may not be divulged, though at the same time I will be upon my guard not to appear as a professed teacher, but in the character of a private Roman, who has a tolerable reputation, and not entirely void of merit in pleading at the bar; who does not dictate, but delivers his sentiments in an accidental conversation. When a candidate for office, and I wished to canvass votes, I used to take my leave of Scævola, by telling him I wanted to trifle; this was a civil way of asking him to retire; for in these cases, unless a man trifles, he can do nothing to the purpose. Here it happens that the very person before whom I would less willingly act a trifling part, than before any other in the world, is now a spectator of the frivolities which I am capable of committing; for what can be more frivolous than to speak upon the art of speaking, when nothing can excuse speaking itself but necessity? Pray go on, replies Mucius, I will answer for any thing which you fear may be amiss in your discourse.

CHAP. XXV.

THEN, said Crassus, it is my opinion that 'the powers

¹ *The powers.*] Quintilian, in his preface, § 4, has a very beautiful expression upon this subject; *illud tamen imprimis testandum est, nihil precepta atque artes valere nisi adjuvante natura.*

powers which contribute most to eloquence are innate. As to those authors whom Antonius mentioned a little before, it was not method or order that was wanting to them, but genius; for the mind must originally be endued with vigorous faculties, for rendering the invention acute, the expression and its embellishments diffusive, and the memory solid and lasting. It is very well, if these faculties be animated or called forth by art; but it is not in the power of art to engraft every quality; for these are the gifts of nature. If, therefore, one should erroneously suppose that these qualifications are attainable by art, what will he say of those capacities which are certainly born with them; such as the free use of the tongue, an agreeable articulation, strength of lungs, an animating expression, and a pleasing figure? Not but that art can contribute some refinements; for I am sensible that learning may improve what is already good, and in some measure polish and correct what is none of the best. But there are some men so difficult in their utterance, so harsh in their tone of voice, so forbidding in their look, so unwieldy and ungraceful in their appearance, that all the advantages of

turâ. Quapropter ei cui deerit ingenium non magis hæc scripta sunt, quàm de agrorum cultu sterilibus terris.

We must (says he) premise, that precepts and art can do nothing without the concurrence of nature. For those pages are no more wrote for the use of a person who has no genius, than a treatise upon agriculture can be supposed calculated for the improvement of barren grounds.

of genius and art can never secure to them the reputation of fine orators. There are others so happily formed by nature in these respects, that they seem not to have been born, but moulded by a superior being. It is an undertaking of serious difficulty, for one man to command the attention of a whole assembly while discussing the most important matters: for there is scarcely any one among his hearers, who is not more alive to the defects than to the beauties of his language; and is therefore apt to overlook what is really deserving of praise, in the observance of his faults. Not that I would insinuate that young men who have not fine natural parts, should be absolutely discouraged from the study of eloquence: for who does not perceive that it does great honour to C. Lælius, my equal in years, and without the advantages of birth to recommend him, that he was able to rise to that mediocrity in speaking which he possessed? Is there one in this company who does not know that Q. Varius, a man of an unwieldy and uncouth figure, has now a vast interest in the city, by means of his moderate talents?

CHAP. XXVI.

BUT as our discourse has now fallen upon the character of an orator, let it describe one who is faultless, and all-accomplished; for if the multiplicity of suits, the variety of causes, the bustle

and confusion of the forum, afford employment sufficient for the most wretched speakers, we ought not, for that reason, to lose sight of the main object of our pursuit. Thus, in those arts which are cultivated, not for the use, but the elegance they bestow upon life, with what accuracy and fastidiousness we form our taste. For there are no controversies to induce people to endure a bad actor in the theatre, as they do an indifferent pleader at the bar. An orator, therefore, ought to be extremely careful, not only to please those whom it is his business to please, but to ensure the admiration of those who can form a more rational and correct judgment. But if you insist that I should speak my opinion of the matter without reserve, as all of you are my intimate friends, I will now, for the first time, declare what I have hitherto thought ought to be concealed. Even the best speakers, they who speak with the greatest ease and grace, are, in my opinion, guilty of too much assurance, though really modest, unless they appear timid, and betray some confusion, in the commencement of their speech; for the more a man excels in speaking, he is the more sensible of its difficulty, he is under the greater concern for the event, and to answer the expectation of the public. But he who can perform nothing worthy the profession or the name of an orator, nothing worthy the attention of mankind, this man will appear impudent in my eyes, let his timidity while he speaks be ever so great; for we ought to avoid the

the imputation of impudence, not by blushing at, but by avoiding, improprieties. As for him who discovers no sense of shame, as is too commonly the case, such a man, I think, deserves not reproof only, but punishment; for I have often observed in you, and experienced in myself, that I grow pale at the beginning of a speech, and feel a tremor in every part of my frame. But when a young man, I was so intimidated at the opening of a speech, that, I speak it with the highest sense of gratitude, Q. Maximus adjourned the court, when he perceived me thus oppressed and disabled with concern. Here they all of them agreed in the adjournment, and began to whisper and talk to one another; for there was in Crassus a surprising bashfulness, which, so far from being a disadvantage to his eloquence, caused even a prepossession in its favour, by recommending the good qualities of his heart.

CHAP. XXVII.

INDEED, my friend, I have often observed, as you say, replied Antonius, that you, and the rest of our best speakers, though, in my opinion, none ever equalled you, were much affected in the exordium of your discourse. When I came to enquire into the reason of this, and why an orator, the better he could speak, was always under the greater confusion in speaking, I accounted for it two ways; the first was, that they who are
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formed, both by experience and nature, for fine orators, have observed, that sometimes causes will terminate not conformably to the wishes of the very best speakers; it is therefore reasonable for them, every time they are speaking, to dread, as it sometimes happens, it may be their own case at the time. The other way I account for it is, what I often thought a hardship. When they who have an established character in other arts fall short of their usual excellence, it is generally imputed to their want either of inclination or health to exert their abilities; Roscius, say they, *would* not act to-day, or he was indisposed. But if a defect is observed in an orator, it is immediately imputed to dulness, and dulness has no excuse; for you will never be able to persuade the world that a man can be a dunce either through indisposition or wilfulness. Thus, in pleading, we encounter a severe hardship, and every time we speak it is renewed; while a player, who has been faulty in action, is not immediately pronounced to know nothing of action; but if an orator shall be thought to make one blunder, he labours for ever, or at least for a long time, under the imputation of incapacity.

CHAP. XXVIII.

As to what you say, that there are a great many things in which, unless an orator has received them from nature, the assistance of a master can
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do him but little service, I am very much of your opinion; and here I cannot but do justice to the merits of that excellent master Apollonius of Alabanda, who, though he made a trade of teaching, yet would never suffer those he thought incapable of becoming good speakers, to lose their time in attending his lessons, but dismissed them with the advice to engage in those professions for which he thought them best qualified. For, in other employments, it is sufficient if a person *appears* to have talents, and if, while learning, though slow of apprehension, he has capacity enough to understand, and has memory enough to retain what is taught, or perhaps beaten into him. He has no occasion for fluency of language, or commanding expression, nor for those qualifications for which we are indebted to nature, such as the face, the look, the accent. [But in an orator are required the acuteness of a logician, the learning of philosophers, the diction almost of poets, the memory of lawyers, the voice of tragedians, and the action of the best players.]—For this reason, there is nothing more difficult to find among men than a perfect orator. Among the professors of particular branches in other arts, if each in his own arrives at mediocrity, he passes with approbation; but if an orator is not completely master of every branch of his art, he is not approved. And yet, said Crassus, see how much more indefatigable people are in an art that is but trivial, than in this affair, which is evidently of the greatest importance. For I have frequently

quently heard Roscius say, he never had a scholar with whom he was perfectly satisfied; not but that some of his pupils merited approbation; but because, if they were in any wise defective, he himself could not endure it; [for nothing makes so remarkable, so deep an impression upon the memory as a *defect*.] And, if you allow me to continue the parallel betwixt the accomplishments of an orator and those of a player, do not you observe, that every thing the latter does, is done in the most complete, the most graceful manner; that he always acts with such propriety, as to move and delight every spectator? Hence it is, that he has attained to such distinction, that when a man excels, he is called the Roscius of his profession. While I require this finished excellence in an orator, of which I am so void myself, I act without candour, as my own defects I wish to have excused, while to those of others I exercise no indulgence. [For he who is destitute of abilities to speak, who speaks with impropriety, or awkwardness, this man ought (I think with Apollonius) to be turned over to do some other employment.]

CHAP. XXIX.

WHAT, replies Sulpicius, would you have Cotta or me to become a student in civil law, or military affairs; for what man is able to rise to those high, those universal accomplishments? So far
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from that, answers the other, that the very reason why I have explained myself in this manner, was, because I knew both of you to possess minds peculiarly qualified for eloquence, and my words were calculated not more to discourage those who had not abilities, than to encourage you who have: and though I perceive that both the one and the other of you are endued with the greatest capacity and application, yet the advantages of outward appearances, which I have enlarged upon perhaps more than the Greeks use to do, in you, Sulpicius, are divine. For I do not remember to have ever heard any man speak with more grace, either in respect to attitude, deportment, or figure, or with a fuller and sweeter voice.—

Even they who possess these advantages in a smaller degree may be good speakers, provided they have the skill to use the qualifications they really possess to the best advantage, and with *gracefulness*; for awkwardness is the thing most of all others to be avoided. At the same time, it is extremely difficult to give any rules upon this head; this is a difficulty which is felt not only by me, who speak of these matters as a private gentleman, but even by Roscius himself, whom I have often heard say, that "the essential requisite

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* *The essential requisite in an art is gracefulness.*] The ancient writers frequently allude to this beautiful maxim: "In all undertakings," said they, "let us sacrifice to the Graces." It was by observing this important lesson, rather than from any superiority of genius, that their writings have lived so

long

in an *art* is *gracefulness*, which, nevertheless, is the only thing that did not come within the precepts of art; but, if you please, let us change our discourse, and talk in our own way, not as rhetoricians. By no means, replied Cotta, for we are now under the necessity of entreating you, since you would have us confined to this profession, and to study no other art, to place before us, in its whole extent, your powers of eloquence.—Surely you cannot say we are too ambitious, as we are content with your eloquence, indifferent as it is, and we want to know how we can be farther qualified; since you say we are not entirely destitute of natural endowments; not that we intend to aspire at more than the little merit in speaking you have attained to.

CHAP.

long in esteem. An excellent English satirist has expressed the meaning of this allusion beautifully.

He who blots out, and blots not out the best,
Pours lustre in, and dignifies the rest.

But the poet, in these two lines, hints only at one cause which destroys the gracefulness of a performance produced by genius, and that is, the fondness of an author for his own work, and his being loath to blot what he thinks is well said, no matter with what propriety it comes in. There is another source of ungracefulness, which was the cause of all the Gothicisms which infected the fine arts for 1200 years, and that was mistaking ornament for beauty, and thence aiming at an unnatural perfection. The Goths, observing the ancient architecture with a few ornaments was very beautiful, they concluded that if it had more ornaments it must be more beautiful, till at length all was ornament, and nothing beauty. The same fate, from the same cause, attended poetry, eloquence, painting, and statuary.

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CHAP. XXX.

WHY, Cotta, replied Crassus, with a smile, you want nothing farther but that intense and ardent study, without which nothing great was ever performed in life: far less can any one attain to the excellence you require. But indeed it is in vain to have the desire of arriving at any point, unless you are acquainted with the means that can conduct you to the desired object. But as the task you impose upon me is pretty easy, since you do not insist upon my explaining the art of an orator, but the little I myself can do in this way, I will inform you of my own method, which has, indeed, nothing in it abstruse, difficult, shewy, or arduous, but what I practised in my youth, while I had an opportunity of applying to these studies. Cotta, exclaimed Sulpicius, what a blessed day has this proved to us; for, in spite of all my entreaties, and all my efforts, secret and avowed, I never was able to come at those compositions or discourses to which Crassus had recourse for the sake of improvement, nor to have any knowledge of them from Diphilus, his chaplain and amanuensis. I hope now we have obtained what we wished for, and shall be informed from his own mouth of every thing we wanted to know.

CHAP. XXXI.

BUT indeed, my friend, said Crassus, I am of opinion, when you have heard all I have to say,
that

that you will not be so much in love with it; but rather think, that you had no reason for being so desirous to hear it beforehand; because what I am to say contains no secret, nothing to answer your expectation, nothing that is new to you or the world; for I own very freely, that I have studied all those trite and common-place rules, with which a gentleman and a scholar should not be unacquainted. Accordingly, I lay it down as a stated maxim, that the principal point an orator ought to aim at, is to persuade; next, that the tendency of every speech is either to discuss some general question, without specifying persons or times, or some point where particular times or persons are specified. In both these cases, the question in dispute commonly is, whether such a thing is, or is not a fact; or, if the fact be admitted, of what nature it is, or under what denomination it comes; and, according to some, whether the commission of it was, or was not justifiable. I was farther taught, that controversies may arise from the meaning, whether it is either doubtful or contradictory, or when the letter contradicts the spirit of the law; and that a certain species of argumentation is appropriated to each of these cases. I was farther informed, that those doubts that cannot be ranked under the general division, become either matters of trial or debate; that there exists likewise a third species, consisting in praising or reprimanding particular persons; and that there are certain topics upon which we insist in cases of equity, and in courts of justice; that there are other topics

which we discuss, and where all the subject of debate is the interest of those to whom we give our advice or assistance; that there are still others appropriated to panegyric, where every thing has relation to personal merit. I was farther instructed, that as all the profession of eloquence is divided into five parts, an orator must first supply the materials he has to say, and when these are supplied, he is to distribute and range them, not only in order, but in a manner that is likely to give them weight and importance; he is next to clothe in embellished language, then to imprint them in the memory, and, lastly, to deliver them with gracefulness and dignity. I was farther led to understand, that before one enters upon the main subject, he should endeavour to gain the affection of his hearers. In the next place, the fact is to be represented, the case is to be stated, and the speaker then proceeds to prove his allegations; he next proceeds to confute what has been advanced by his adversary; and at the conclusion of his speech, whatever makes in his favour, he is to enlarge and improve, and whatever makes against him he is to weaken and extenuate.

CHAP. XXXII.

I WAS likewise instructed in whatever relates to the embellishments of a speech, the chief of which is purity of diction, the next is ease and clearness, the next gracefulness, and the last an expression suited to, and, as it were, setting off, the

the nature of the subject; and I made myself master of all the precepts relating to each of these points. Even that which one would think to be a principle of nature, I have sometimes known to be assisted by art; for I myself have cursorily learnt certain precepts respecting action and memory, but I embodied them with continued practice; for all the learning of certain teachers turns upon technical points like these, and I should be much in the wrong to say that they are of no use; for they serve, as it were, to prompt the orator, by informing to what head such and such things relate, and at a glance he is much surer not to be wide of his aim. But I take the true use of rules to lie in this, not that orators by observing them attain to eloquence, but that observations have been made, and a practice formed upon those principles, which eloquent men have unfolded by the mere strength of natural genius. [Thus eloquence is not the product of art, but art is derived from eloquence: but even that, as I said before, I would not exclude; for though it may not be quite so necessary to the practical part of speaking, yet it is very subservient to the critical. This is the task that you are to undertake, though you have already entered the lists; notwithstanding that the students in this way, like soldiers, may improve by the previous discipline of a mock fight upon disputable points.— This, interrupted Sulpicius, was the very thing we wanted to know, yet we wish to hear somewhat from you with regard to the art itself, which you have but slightly noticed, though we are not

quite strangers to it. However, we shall talk of this hereafter, but at present we want to know your sentiments upon the practice itself.

CHAP. XXXIII.

WHY really, replied Crassus, I approve of your common practice in stating a cause of the same nature with those that really come before the courts of justice, and then speaking to it as if you were actually in earnest. But most people in such exercises make use only of their voice, and that too not very judiciously, the strength of their lungs, and the volubility of their tongue, and are quite charmed with their own performance, if they can but pour forth a torrent of words; so far do they mistake that general maxim, that practice makes perfection in speaking. But there is another maxim; that by a vicious practice, men very naturally fall into a vicious habit of speaking. Therefore, in those very exercises, though it is of great importance that a man should acquire an ease and quickness of elocution, yet it is of much greater that he should, after some consideration, speak at once with readiness and correctness. But to tell the truth, the chief point of all is a thing that we very seldom resort to; for it is difficult, and therefore commonly avoided, I mean the frequent practice of composition. THE PEN IS THE BEST, THE MOST EXCELLENT FORMER AND DIRECTOR OF THE TONGUE; and no wonder; for

for if reflection and thought easily excel extemporaneous effusions, careful and assiduous practice in composing will excel even those advantages. For every topic, whether of art or learning, if it has any relation to the subject we write upon, immediately presents itself and occurs to the eye of critical observation; and at the same time, it is a necessary consequence, that those periods and expressions, which are most eligible, must suggest themselves to the direction of the pen; thus also is produced that metrical and harmonious arrangement which does not indeed belong to poetry, but is peculiar to oratorical compositions. Hence likewise is laid open the true source of the warm applause bestowed on excellent speakers; and however long a person may practise spontaneous elocution, he never can command admiration without practice in writing: and the man, who after *using his pen, shall come to the bar, will carry along with him this advantage, that though he shall speak, even without previous meditation, yet what he may deliver will have the air of correct composition; and farther, if at any time he shall use the assistance of notes, as soon as he lays them aside, the remaining part of his speech will be of a piece with the preceding. As a boat under sail, though the

* *Using his pen.*] This precept will be found useful to all manner of speakers, and we have known some of the greatest men in our age and country owe the excellency of their eloquence to this precaution. The following simile of our author is extremely just and beautiful.

the rowers suspend their efforts, yet still the vessel moves in the same direction as when impelled by the impulse of the oars; so, in a continued discourse, when no longer supplied with notes, yet the remaining part proceeds in the same strain, by the resemblance and strength it acquires from composition.

CHAP. XXXIV.

BUT in my daily exercises, when I was but a very young man, I own I chiefly followed what I knew to be the practice of my adversary, Caius Carbo, which was, to digest in my memory a chosen number of dignified and polished verses, or a certain portion of some oration which I had read over, and then deliver the very same matter in other words, and those the best I could chuse. But this practice was liable to the objection, that the most proper, the most elegant, and the most beautiful expressions in every subject, had been anticipated either by Ennius or Gracchus, if I took the subject from the verses of the one, or the orations of the other. Thus, if I used the same words, my labour conferred no benefit; if I used different words, the alteration must have been for the worse, and my labour was not only lost but injurious. Afterwards, when I grew a little older, I chose to translate the best Greek orations, by which I ensured this advantage, that in rendering the Greek I had read over into Latin, I not only hit upon the most elegant, and yet the

the most usual expressions, but was in the course of my translation led to the use of some terms, which to my countrymen were new, and I took care that they should be proper. Now the use of the voice, the hands, the whole body, and even the tongue, do not so much require ^vart as exercise. But in all these exercises we ought to take particular care to imitate those whom we wish to resemble. We are not only to observe the manners of orators, but of actors, lest by a vicious practice we contract some habits of incorrigible deformity. The memory ought likewise to be employed in retaining many of our own compositions, and those of the Greeks; and to this exercise I do not think it would be amiss, if you ^zshould aid your memory by certain hints taken from places and resemblances. From this private, this retired discipline, you are to draw out your powers of eloquence into the forum, as into a camp, where prevail the dust, the shouts, and the conflicts of war. You are to handle every weapon, put the forces of your genius to the trial, and all your retired lucubrations

^v *Art as exercise.*] Our author no doubt means, that by exercise one may come into an artful management and disposition of all the exterior circumstances of speaking.

^z *Should aid, &c.*] The art of memory was in great vogue, and of a good deal of advantage among the Greeks. The moderns, especially the Germans, in the last age, wrote a great many books upon it; but if the ancients had not proceeded upon some principles that were more worthy the exercise of the rational faculties than the Germans did, it is probable we should not have it recommended by Cicero.

tions must now stand the test of public practice. The poets too should be read, a knowledge of history acquired; the writers, the authors, of all the best arts repeatedly perused; and to improve your practice you are to praise, to explain, to correct, to vilify, and to confute them. You must dispute upon either side of every question; and it will be necessary to explore and explain whatever can be advanced on your own side with the greatest plausibility upon any subject. The civil law must be thoroughly studied; the statutes understood, together with a clear knowledge of all antiquity, of the practice of the senate, the government of the state, the rights of our allies, leagues, conventions, and the interests of the constitution. You are likewise, from the various rules of good breeding, to extract a certain agreeable turn of wit, which, like salt, should season all your diction. Thus I have freely communicated all I knew; and this is perhaps no more than what any private gentleman, whom you might meet with in company, would have given you.

CHAP.

^a *Dispute upon either side.*] I do not know if the rapidity with which Crassus speaks here can plead for an excuse for this expression. Quintilian, to his immortal honour, looked upon the profession of an orator in another light than we do upon that of a Swiss: he thought that no man could distinguish himself without great virtues as well as great qualities; I wish that we could say he had learned this from the precepts our author lays down in this treatise.

CHAP. XXXV.

WHEN Crassus had done speaking, a pause ensued; but though the company seemed to think that he had sufficiently answered all they had proposed, yet he concluded much sooner than they could have wished. Pray Cotta, adds Scævola, what means this silence? What cannot you fall upon some other question to put to Crassus? Why, replied the other, that is the very thing I am thinking of; for such was the rapidity of his words, such the flow of his language, that I perceived its force and energy, but could scarcely trace its rise and progress; as if one were to enter into some rich, well furnished house, where neither the apparel, the plate, nor the pictures and images are distinctly placed in view, but folded up and concealed amidst the variety and magnificence of the furniture; so just now, while Crassus was speaking, I could perceive the riches and beauties of his genius, as it were through certain integuments which veiled them; but of the things I wanted to survey at leisure, I could scarcely have a glance. Upon the whole I can neither say that I am absolutely ignorant of, nor yet that I have been able clearly to perceive, the treasures with which his mind is enriched. Then, replies Scævola, why not act as you would do, were you to enter a seat magnificently furnished; if, as you have supposed, all the rich furniture is locked up, and you felt much curiosity to see it, would you not desire the owner to order it to be brought out, especially

ally if he were your friend? In like manner ask the favour of Crassus now to display to our view, and range in proper order, all the costly ornaments in his possession, of which we just had but a slight, transient glance, as it were through a window. Nay, but Scævola, replies Cotta, I beg this favour of you; for Sulpicius and I are ashamed to importune one of the greatest men upon earth, and one who has always despised disputations of this kind, for what he perhaps looks upon as an exercise only for children. But do you, Scævola, grant us this indulgence, and prevail with Crassus more fully and distinctly to expand those principles, which in his discourse he contracted into so narrow a compass. This indeed, replied Mucius, I already wished, rather on your account than my own, nor can I say that my desire of hearing Crassus upon this subject was equal to the pleasure I have had in hearing him plead. But now, Crassus, I beg upon my own account too, that you will employ this unusual interval of leisure, in finishing the edifice, the foundation of which you have already laid: for I see that it possesses greater dimensions, and more beauty than I was aware of, and such as I greatly approve of.

CHAP. XXXVI.

INDEED, replies Crassus, I am much surprised that you, Scævola, should insist on hearing what I am neither so much master of as they who teach

teach it, and which is not of a nature, however well understood, to suit you experience, or claim your attention. Say you so? answers the other: but granting that young men ought not to hear the common and vulgar rules, are we to neglect those precepts which you have pronounced necessary to be known by an orator, respecting the nature and morals of mankind, and the method of awakening and subduing the passions; respecting history, antiquity, government; and, in a word, respecting the civil law of our country? For I knew that your experience comprehends all this extent, all this variety of knowledge, but never did I witness such magnificent furniture in the cabinet of an orator. Then, answers Crassus, not to speak of other innumerable instances, of great importance, and to proceed to your favourite study of the civil law, can you regard them as orators, upon whom Scævola, with a mixture of mirth and indignation, waited many hours, when he was hastening to the Campus Martius; at which time Hypseus, with a loud voice, and in a torrent of words, insisted before the prætor M. Crassus, that his client might lose his cause. While Cneius Octavius, a man of consular rank, in a speech of equal length, refused to suffer his antagonist to lose his cause, or that his own client should take the advantage, by the blunders of the other party, of being acquitted of the charge of betraying his ward, and all its troublesome consequences. For my part, answers the other, I remember to have heard Mucius speak of these dunces, but I am so far from allowing them to

to be orators, that I am for depriving them of the privilege of pleading at the bar. And yet, replied Crassus, these advocates wanted neither eloquence nor address and readiness in speaking; what they wanted was a knowledge of the civil law. For the one insisted upon more, while he was pleading upon an article in the twelve tables, than the law allowed; and if this was granted him, he of course would have lost the trial. The other thought it unjust that he should be exposed to greater hardship than the charge brought against him implied, and did not perceive that if he had been dealt by in that manner, his antagonist must have been defeated.

CHAP. XXXVII.

NAR, not many days ago, while we were sitting as assistants to our friend Q. Pompeius, the city prætor, did not one of your eloquent lawyers insist upon the defendant being indulged in an old and common exception, in favour of a debtor who was engaged to pay a sum at a certain day? He did not understand that this rule was made in favour of the creditor; insomuch, that if the defendant had proved before the judge, that the money was demanded before it became due, when the plaintiff came to demand it a second time he might have been precluded by this exception, ^bBECAUSE THE AFFAIR HAD

ALREADY

^b *Because the*] These words I have put in capitals appear to have been part of the law.

ALREADY BEEN TRIED. Can any thing be more scandalous, in words or in conduct, than that a man, who pretends to superintend the interests of his friends, to relieve the oppressed, to administer to the sick, and to raise the dejected, should so stumble in affairs of the most trivial and obvious nature, as to become an object of pity to some, and of ridicule to others? I own that our opulent kinsman, Crassus, who in many respects possessed taste and elegance, was highly commendable in this, that he used to tell his brother Scævola, that the latter never could have made any figure in the civil law, had he not devoted himself to eloquence, (his son, who was joint consul with me, united both these characters) and that he himself had studied the civil law before he undertook to plead any causes for his

^c *His brother Scævola.*] To understand the wit of this saying of Crassus it may be proper to observe, that the family of the Scævola, as he himself hints before in this dialogue, was famous for their knowledge of the civil law, as was that of Crassus for eloquence; Scævola marrying the sister of Crassus gave the latter a handle for this saying. The Crassus here mentioned was not Marcus, the famous triumvir, who was killed by the Parthians, and famous for his wealth, but another, who, according to certain authors in Gellius, had five several pre-eminences, viz. 1st, in riches; 2ndly, in quality; 3rdly, in eloquence; 4thly, in jurisprudence; and, 5thly, in the sacerdotal college.

Is Crassus a Sempronio Asellione, & plerisque aliis Historiæ Romanæ scriptoribus traditur quinque habuisse rerum bonarum maxima & præcipua, quod esset ditissimus, quod nobilissimus, quod eloquentissimus, quod jurisconsultissimus, quod pontifex maximus. Gell. Noct. Att. L. 1. C. 13.

his friends. But what was the character of the excellent M. Cato? Was it not that of being one of the best speakers of whom this age or country could boast, and at the same time a most skilful civilian? I have all along touched upon this point with the greater delicacy, because there is now in this company a person of the highest eloquence, and one whom I admire as the first of his profession as an orator, and yet who has always expressed a contempt for the study of the civil law. But as you insist upon having my sentiments, I will not disguise, but lay before you with frankness my thoughts upon the subject.

CHAP. XXXVIII.

THE amazing, the unparalleled, the divine genius of Antony, though unacquainted with the civil law, qualifies him to ensure the interests of his clients by other weapons than legal knowledge. He is, therefore, an exception to our general rule; but as to others, I own I hesitate not to condemn them, in my own mind, both of idleness and of arrogance. For to parade along the forum; to be always meddling in law-suits, and ever frequenting the courts of justice; to manage the most important decisions respecting private property, in which the question often does not turn upon points of fact, but of law and equity; to swagger in petty causes, where you have all the system of laws relating to interests, wards, families, relations; the alterations and eruptions

tions of rivers, vassalage and bondage; walls, and windows; egress and regress; wills executed or unfulfilled, together with an infinite number of other things; if a man who undertakes all this is ignorant of his own rights, or the rights of others, what constitutes bondage or freedom, a domestic, or a citizen, a person of this description must surely possess consummate assurance. What a ridiculous figure would a man make, to own that he did not know how to manage a small bark, and yet pretend to sail one of our first rate ships? If in company I should find that you are over-reached by a quibble of your antagonist; if I see you executing a deed for your client, which must prove prejudicial to his interest, do you imagine that I would trust a cause of greater moment to your management? Be assured that the pilot who in harbour oversets a small boat, shall sooner be entrusted with the command of a ship of war in a dangerous sea. But if those causes that turn upon the civil law are not insignificant, but often of the utmost importance, what effrontery must a man have to pretend to be an advocate in those causes, without the smallest knowledge of the law? For instance, could any cause be more important than that of the soldier, of whose death his father had been erroneously informed from the army, but believing the information true, he altered his will, and appointed another person his heir. After this the father himself died, and the cause was brought before the judges. The soldier returning home, commenced an action to recover the

estate. The question to be decided was, whether the son, whom the father did not mention in this will, was in the eye of the law excluded from his paternal inheritance.

CHAP. XXXIX.

FARTHER, what was the decision of the judges, in the cause between the Patrician families of the Claudii and the Marcelli? When the Marcelli claimed an estate in right of descent from the son of a freedman, and the Claudii pretended that the same estate ought to revert to them by a family right derived from a Patrician of their name; in such a cause, were not the pleaders to explain the whole system of the rights of succession and family? What say you of another dispute which I have heard was brought before the same tribunal? A man having been banished from his own country, lived at Rome, and having claimed the protection of the Roman laws relating to banished persons, applied in consequence to some one to become his patron, and then died intestate; in such a cause are not the laws, obscure and unknown as they are,^d relating to

^d *Relating to such applications.*] The clientships among the Romans constituted a part of the estate of a great man. There is a remarkable passage upon this head in Aulus Gellius, which gives us a clear view of the subordination of civil relations among the old Romans; the first relation next to that of son and father, says he, is that betwixt a guardian and his ward; the

to such applications, to be laid open in the trial, and explained by the advocate in his pleading? What do you think of a recent law suit, when I pleaded in favour of C. Sergius Aurata, against our friend Antonius, which was decided by arbitration? Was not the defence which I made entirely deduced from the civil law? For when Marius Gratidianus had sold the house to Aurata, without expressing in the deed that any part of that house was to be subjected to servitude; I pleaded, that whatever loss might arise by omitting this reservation, it ought to fall upon the seller, if he knew of any such servitude annexed to the purchase, and omitted to express it. In actions of this kind, my friend, M. Bucculeius, who is no fool indeed, in my opinion, and a very wise man in his own, being besides

not

the second, that betwixt a patron and his client; the third, that betwixt a landlord and his guest; lastly, those of kindred and alliance. But the words of Gellius contain somewhat so express and diffusive, that I cannot omit giving them to the learned reader, who I believe will agree that there are few more curious passages in all antiquity.

Conteniebat autem facile constabatque, ex moribus populi Romani, primum juxta parentes locum tenere pupillos debere fidei tutelæ nostræ creditos: secundum eos proximum locum clientes habere, qui sese itidem in fidem patrociniūque nostrum dediderunt, tum in tertio loco esse hospites; postea esse cognatos affinesque. Hujus moris observationisque multa sunt testimonia documentaque in antiquitatibus perscripta. Ex quibus unum hoc interim, de clientibus cognatisque, quod præ manibus est ponemus. M. Cato in oratione, quam dixit apud censoris in Lentulum, ita scripsit? "Quod majores sanctius habuere defendi pupillos, quam clientem nemo dicit: patrem primum, deinde patronum proximum nomen habere." Gellius Noct. Att. l. 5, c. 13.

not unacquainted with the law, in some respects committed a similar blunder. For when he sold a house to L. Fufius, reserving in servitude the doors and windows in the state they were then in, a person began to build a house in a different quarter of the city, in a place that could be but just discerned from the other; but he had no sooner begun to build, than he commenced an action against Bucculeius, and insisted on it, that his windows could not, in the terms of their agreement, remain in the same state, if the smallest portion of the horizon was intercepted, however great the distance. But what shall I say of the important cause betwixt Manius Curius and Marcus Coponius, which was lately discussed before the judges, and a crowded court, all curious to know the event? When Q. Scævola, my equal and colleague, who of all others is best acquainted with the practice of the civil law, who besides possesses the quickest discernment, a style remarkably smooth and polished; and who, as I used to say, of all great lawyers was the greatest orator, and of all great orators the greatest lawyer; when Scævola, I say, defended the validity of wills from their letter, maintaining, that unless the posthumous child, expressed in the will of the deceased, had been born, and died before he was of age, the person named in the will as succeeding to the infant who should thus be born and die, could not be the heir. I pleaded for the intention of the will; and that the meaning of the deceased testator must have been, that if he had no son come to age, then

Manius

Manius Curio was the heir. Did either of us in that trial betray a want of acquaintance with authorities, precedents, and the forms of wills, which constitute the most essential part of the civil law.

CHAP. XL.

I SHALL at present omit to mention numberless other important causes. But it often happens that the most important concerns, the life and privileges of a citizen, rest upon a knowledge of the civil law. Thus Publius, the son of M. Rutilius, the tribune of the people, ordered Caius Mancinus, a man of quality, fortune, and of consular dignity, to be expelled from the senate; because, to avoid the execution of an odious league which he had made with the Numantines, he had been delivered up to them by the presiding herald; and upon their refusing to receive him, he hesitated not to return home, and take his seat in the senate. The opposition of the tribune was founded on a received tradition, that a person sold either by his father or the people, or delivered up by the presiding herald, has no right to reclaim his privileges. Can we in the whole system

^c Important concerns.] The word *caput* in the original does not mean the natural life, neither did the expression *capitalis causa* import a capital cause in our sense of the words. *Capitalis*, says Modestinus, *latine loquentibus omnis causa existimationis videtur*. That is, whatever cause could in its event affect the honour and reputation of a person, such cause was capital.

G 3

system of civil polity find a more important cause, than that which respects the rank, the privilege, the liberty, and the reputation of a senator? Especially as it was not pretended that his disqualification arose from his own demerit, but from the constitution of the civil law. Of a similar, but less important nature, is the case of a native of a confederate state, who had been a slave at Rome, where he obtained his freedom, and then returned to his own country. It was in that case a doubt with our ancestors, whether such a person could reclaim his rights in his own state, and whether he had not forfeited the privileges of this city. But as I am now speaking of liberty, than which no cause more important can be tried, may it not become a question, in the civil law, whether a man when enrolled among the citizens, by the consent of his master, becomes free, or 'when the period of the enrollment is expired?

* *When the period of the enrollment.*] This passage is proposed by some annotators as a very curious field for criticism. The original is *ubi lustrum conditum*. Camerarius informs us, that he saw a very old copy, where the whole passage runs thus. *Cum quaritur is qui domini voluntate census sit, si non conditum lustrum sit, sit ne liber? Et continuone an tribus lustris conditis liber sit.* I shall leave the discussion of the authority of the two readings to those who are inclined to pursue the matter farther; it is sufficient to take notice here, 1st, that if a person was upon the rolls of the Census, it would appear that at the time of making up those rolls, every person whose name was contained in them could, and upon any future occasion might have appealed to them for proofs, that he was then a Roman citizen: for this see Cicero's oration for Archias the poet

pired? Was there not a case that actually happened in the last age, when the father of a family came from Spain to Rome, leaving his wife big with child; he, without any intimation to his wife, marries another at Rome, where he dies intestate, leaving behind him a son by each wife; was the point in this case to be discussed easy of solution. Here arises a question respecting the rights of two citizens, I mean the latter son and his mother, who must have been pronounced a concubine, had it been found upon the trial that a certain form of words, and not a new marriage, were necessary to constitute the validity of a divorce from the former wife. Must not then the guilt of that man be flagitious, who struts about with gaiety and assurance, throwing his eyes first to one side, and then to another, swaggering over the forum, with a vast train, proposing protection to his clients, assistance to his friends, and the light of salutary advice to other citizens, and is yet ignorant of these, and other similar points respecting the laws of his own country?

CHAP. XLI.

HAVING noticed the assurance, I must be permitted

poet. 2dly, It would appear from his oration for Cæcina, that though a man was a slave, his being enrolled in the Census rendered him free. These two considerations seem to determine the reading of this passage as I have translated it. *Condere Lustrum* was no other than finishing the rolls, at which time, we see by Livy, certain plays were celebrated.

mitted next to censure the inactivity and indolence of some men. For, granting the knowledge of the civil law to be an extensive, intricate study, yet its vast utility ought to spur men to undergo the fatigue necessary to the attainment of it. Yet I declare, by the immortal gods, an assertion which I should not presume to advance before Scævola, had not he himself often acknowledged the truth of it, there is not an art which can more easily be acquired. I own, that the general opinion for certain reasons is otherwise; first, because your ancient practitioners, who are at the head of this department, that they may retain and increase their influence, are unwilling to have the knowledge of their profession generally diffused. In the next place, after it had been published, and the process of it explained by Cn. Flavius, nobody could reduce his technical digest into a more luminous and comprehensible system. For nothing can be reduced into an art, unless the person who attempts it, besides knowing the principles which he wishes to classify, has skill enough to arrange those, which have not yet been brought to the standard of art. I was willing that the brevity with which I have explained myself upon this head should lead me into a little obscurity, but I will endeavour if I can to explain my meaning.

CHAP. XLII.

ALMOST all the principles that are now reduced into arts were formerly dispersed without any principle of union. Thus in music; tunes, sounds, and measures: in geometry; lines, figures, dimensions, magnitudes: in astronomy; the revolution of the heavens, the rise, the setting, and the motions of stars: in ^ggrammar; the study of the poets, an acquaintance with history, the derivation of words, together with a correct pronounciation. And in our profession of eloquence; invention, embellishment, arrangement, memory, action; all these formerly were unknown, or they seemed too widely dissipated to be reduced into a system. For this reason, a certain art, foreign to eloquence, and which philosophers claimed as their own, was employed to cement, and by certain means to combine the matter that thus lay confused and separated. It is an undoubted maxim that the end of the civil law is to watch the persons and properties of citizens with impartial justice. Its heads are then to be marked, and to be reduced into classes as few as possible. Every head comprehends two or more divisions, with certain properties agreeing in kind, but having a specific difference; and each division is ranged under those heads from which they are derived. And definitions must be laid down, expressing the force appropriated to

^g Grammar.] It appears that the ancients by the study of grammar meant the study of what we call the *Belles Lettres*.

to every term, whether it relates to the heads or the subordinate parts. A definition again is a short and limited explanation of the properties of the thing which we want to define. I should give examples of these particulars, were I not sensible that they are unnecessary to those before whom I speak: I shall now comprehend what I proposed in as short a compass as is in my power. For were I at leisure to do what I have long meditated; should any one while I am busied set about it, and when I am dead accomplish it; first, to digest the whole civil law under different heads, which are but very few; and then to branch out these heads, as it were, into so many members; and next define the power that is appropriated to each; then you will have a complete code of laws, less difficult and obscure than important and diffusive. In the mean time, while what is now dissipated remains yet to be collected into a system, let us enrich the noble profession of law with what we can pick up, while ranging along the various walks of human knowledge.

CHAP. XLIII.

You well know that C. Aculeo, the Roman Knight, who lived and still continues to live with me, a man whose genius is formed to excel in every art, but who has very little studied any other than this, is so much distinguished by his legal knowledge, that, with the exception of one

in this company, he surpasses the most skilful in the profession. For the principles of it are obvious, occur in daily practice, in common conversation, and in the forum; and are not to be acquired by much study or extensive reading. For the same principles were published by many, and then, after some verbal alterations, transcribed again and again by the same authors. To this is to be added another circumstance, which, though little noticed, encourages the study of the civil law, and that is, ^bthe great pleasure and satisfaction which the knowledge of it affords. For if a man delight in the view of ancient times, he has a lively picture of antiquity presented him in every part of the civil law, in the books of the priests, and the twelve tables; and he learns withal the former usage

^b *The great pleasure and satisfaction.*] I believe Crassus may have the suffrage of all succeeding ages, for what he has advanced here. There certainly never was so excellent a digest of laws formed, as was that of the twelve tables, for securing property; and had the public liberty obtained as strong a barrier, the constitution of the Roman government, in some sense, might have been said to be immortal. In the mean time, though we justly wonder at the neglect, which, as appears from the words of Cicero, prevailed at Rome, with regard to this study, we perhaps in England are as defective in the knowledge of our constitution. This is a most miserable omission in the education of young gentlemen who have a prospect of being one day members of the British legislature, where the most important points as to peace and war turn upon principles of law, and where even many private causes and matters of right, that come before them, can never be either understood or decided but by a legal knowledge: In short, what Cicero here puts into the mouth of Crassus is but too applicable to our own time and country.

usage of words, and peculiar customs instruct him in the practice and history of our ancestors. If a person be intent upon the study of civil polity, a study which Scævola says belongs not to an orator, but to a different branch of knowledge, he sees all of it comprehended in the twelve tables, where the whole system of civil duties and subordinations is described. Or, if he be captivated with the irresistible charms of philosophy, I will boldly venture to say, that the source of all his disquisitions is contained in the civil law. For in the pursuit of this the greatest dignity is to be acquired; when we see sincere, just, and honest endeavours crowned with honourable rewards and distinctions; while the vices and frauds of mankind are punished with loss, disgrace, chains, whips, banishment, and death. And we are taught, not by vague and doubtful reasonings, but by the authority and sanction of a law, to subdue our passions, to check all impure desires, to guard our own property, and to refrain our thoughts, our eyes, and our hands from the property of others.

CHAP. XLIV.

THOUGH the public may be offended, I cannot help speaking my sentiments on the subject. Indeed, the single volume of the laws of the twelve tables appears to me more useful, to one who would study the fundamental principles of equity, than the libraries of all the philosophers that ever lived, both as it regards weight of authority, and

extent of utility. But if the love of our country is, as it ought to be, our ruling passion; a passion that is so strong and so natural, as to induce Ulysses, the wisest of mankind, to prefer the barren Ithaca, built like a nest upon a craggy rock, to immortality itself: with what ardour ought we to love a country that is superior to all other countries, as being the seat of valour, empire, and dignity! It is the sense, the manners, the government of this country that we ought first to be acquainted with, both because she is our common parent, and because we ought to presume that the plan of government, upon which her constitution was founded, discovers equal wisdom with that conduct by which her power has been reared. You will likewise feel the most cordial satisfaction arising from the knowledge of the law, while you perceive how much our ancestors excelled, in wisdom, the rest of mankind; of which you must be convinced by comparing their system of laws with those of Lycurgus, Draco, and Solon. For it is hardly credible how indigested, and almost ridiculous, all other systems are in comparison with our own. I had daily and long-continued conversation upon this subject, and I always preferred the sagacity of our countrymen to that of all other nations, especially the Greeks. For these reasons, Scævola, I affirmed, that the knowledge of the civil law is necessary to those who want to be accomplished orators.

CHAP. XLV.

GIVE me leave now to observe, that nobody can be ignorant how much honour, influence, and dignity it ensures to those who are at the head of this profession. In Greece, men of the meanest rank hire themselves out, for a trifling fee, as assistants to an orator in a trial, and are hence called *agents*. On the contrary, in Rome, every man of the greatest quality and figure, like Ælius Sextus, whom, for his knowledge of the civil law, a great poet called, a man,

With the best heart, and with the wisest head,
with a great many others, who, though they raised themselves to dignity by their genius, yet, by their practice in the law, have found that their authority was of more weight than their abilities. Can a more honourable sanctuary be found, under which we can spend the decline of age with dignity and lustre, than in explaining the law? For my own part, I own that this is a retreat which I have provided even from my youth, not only with a view to my practice at the bar, but even to grace and embellish my old age; that when, as the time now draws near, my strength shall fail me, I may secure my house from that solitude, which is generally the concomitant of years. For what can be more honourable than that a sage, who has occupied the honours and fulfilled the duties he owed to his country, should boldly say, with the oracle in Ennius, that he is

such a one as all his countrymen, not to say all princes and nations, ought to consult.

Are you uncertain as to the measures you should pursue? By my advice the wavering become decided; and I dismiss them in possession of that wisdom, which shall hereafter secure their affairs from perplexity.

Now it is beyond dispute, that the house of a lawyer is the oracle of the whole city. For the truth of this I appeal to the hall of Quintus Mucius, which, though infirm and advanced in years, is now the daily resort of multitudes of citizens, and frequented by men of the greatest quality.

CHAP. XLVI.

WHAT I am now going to say does not require any long explanation; That an orator ought to be acquainted with the public acts that relate to matters of state and government, and likewise with history and the records of antiquity; for, as while he pleads in private causes he must often have recourse to the civil law, the knowledge of which is, for this reason, as I have already stated, necessary to an orator; so in causes, that are discussed in the assemblies of the people, or in the senate, the events of ancient and modern times, the sanctions of political justice, the science of government, ought to be as intimately known to those orators who engage in the commonwealth, as if they were professed subjects of their study. For what we are now in search of is not

an ordinary pleader, not a frothy declaimer, but such a man as may be the high priest of his profession; a man who, notwithstanding the rich endowments nature has bestowed upon mankind, shall appear to be divine; one whose qualifications, as a man, shall not seem to have been formed upon earth, but the peculiar gift of heaven: one who, dignified by the name of an orator, and not by the insignia of a herald, can walk unhurt in the front of his enemies: one whose tongue can expose to the hatred of his countrymen, and to punishment, fraud and guilt; and under the protection of his genius can free innocence from the penalties of the law: who can rouse a spiritless, desponding people to glory, reclaim them from infatuation, point their rage against the wicked, or sooth their resentment, if exasperated at the worthy? In short, one who, by his eloquence, can either awaken or compose all the emotions of the human soul, from whatever motive or cause they may proceed. It would be an egregious mistake in any man to imagine that this power has been explained by those who have wrote upon eloquence, or can be by me in this narrow compass; such a man must not only be unacquainted with my insufficiency, but even with the greatness of the subject. It is true, since you insisted on it, I have pointed out, in the method I thought most proper, the fountains from whence you may draw, and the roads that lead to this study; not that I pretend to conduct you in person, for that would be an infinite and a useless labour; I, for my part, have shewn
you

you the way, and, as is usually done, pointed with my finger to the fountains.

CHAP. XLVII.

SURELY, replies Mucius, to me it appears that you have said enough, and more than enough, to instigate them, if they are really ambitious of excelling: for as the renowned Socrates used to say he had gained his end, if, by his instruction, any person was effectually induced to study and to practise virtue; because, whoever is once in earnest in preferring no character to that of being a worthy man, will find very easy work in all the remaining part of the study; in like manner, I am persuaded that if you have a mind to acquire those principles which Crassus has explained in his discourse, the door which has thus been opened to you will be very easy of admission. It is true, answers Sulpicius, that what we have heard lays us under great obligations, and gives us much pleasure. But we are at a loss, Crassus, for a few things more. The first respects what you but slightly noticed, I mean the art itself; since you owned, that, so far from disregarding its forms, you had studied them. If you will explain these a little more fully, you will satisfy our eager curiosity: for now we have before us what things we ought to pursue; a point indeed of great consequence; but we further wish to be acquainted with the road, and other means that lead to their attainment. Suppose, replies Crassus, we
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apply

apply to Antony, who, a little while ago, lamented that he published a small work upon this subject, to explain his sentiments more fully than they are given in that publication, and thus to unfold to us the mysteries of eloquence ; because, what I have said, has been to engage you more easily to stay with me, and in compliance rather with your pleasure than my own habits ? With all my heart, answers Sulpicius ; for, from what Antony shall deliver, we shall learn your sentiments. Then, says Crassus, we request you, Antony, since that task is, by the solicitations of these young gentlemen, imposed upon persons of our years, to explain your opinion of the matter in question.

CHAP. XLVIII.

I CLEARLY perceive, replies Antony, that I cannot evade your solicitations, not only as my opinion is asked respecting points in which I have neither knowledge nor experience, but as they will not permit me to avoid what of all others I most dislike, and what I generally avoided at the bar ; which was speaking after you Crassus. But I will enter the more boldly upon the task you impose upon me, from this consideration, that I hope the same thing will happen to me in this discourse, as usually happens at the bar ; that no embellishments of language are expected ; for I am not now to speak of an art I never learned, but of my own practice : and the very observations I have entered into my common place-

book

book are of this nature ; as they were not suggested to me by any study, but by my own experience in speaking. If they are not approved by men of your great learning, you must blame your own unreasonableness, in demanding to know from me what I did not know myself. At the same time, you ought to acknowledge my wish to oblige you, as it is not from my own choice that I so readily comply with your request. Proceed, my friend, rejoins Crassus. I will venture to answer for it, that you will deliver nothing but with the good sense that will give us no reason to repent of having compelled you to speak upon this subject. For my part, replies the other, I will proceed, and do what in my judgment ought to be previously done in all disputes ; which is, that the subject of debate should be defined, lest the conversation should deviate from the object in view, which is unavoidably the case, when those who converse affix to it different notions. For, supposing it were asked, in what consists the skill of a general, I should think it right, in the first place, to determine what constitutes a general ; and having shewn him to be the person to whom the command in war is entrusted, I should then add what relates to an army, to a camp, to marching troops, to engagements, to sieges, to convoys, to forming and shunning ambuscades, and other matters that properly belong to a state of warfare. Whoever had a perfect knowledge of these, him I would pronounce to be a general. I would allege for examples the Africani and the Maximi ; to-

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gether

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gether with Hannibal, Epaminondas, and such other heroes. But were I asked, who is he that is most experienced in public affairs? I would shew him to be the man who knows and employs the advantages by which the welfare of a state is acquired and improved; I would insist that such a man ought to be regarded as the guardian of the state, and the cause of the public welfare; and here I would recommend the examples of Publius Lentulus, who once was the leading man in Rome, the elder T. Gracchus, Q. Metullus, P. Africanus, C. Lælius, with numberless others, both in Rome and other states. But if it were asked me, who can properly be termed a lawyer? I would answer; the man who knows how to give the most salutary advice respecting those customs and laws by which the several members of the community are regulated; I would name S. Ælius, M. Manilius, and P. Mucius, as men of this character.

CHAP. XLIX.

BUT to come to professions of a less important nature: if the description of a musician, of a grammarian, or a poet, were required, I would in like manner explain the object which each professes to have in view; and the precise qualifications, beyond which nothing more can be deemed necessary, and, finally, the philosopher himself, who pretends to comprehend, within the circle of his own knowledge, all the arts and sciences, I

would

would describe to be him, who studies the causes and nature of all things divine and human, and who knows and pursues what leads to a happy life. But as to the orator, whose profession is the immediate object of our enquiry, I do not indeed conceive him such a person as Crassus would have him to be; for he seems to me to engross, to this single office, the knowledge of all the arts. At the same time, I allow him to be a person who, when pleading at the bar, knows to select the words that are most likely to impress his hearers and the arguments that are most suited to render his cause probable. Such a man I define to be an orator, and I would, at the same time, have him correct in pronunciation and action, and moreover to be endued with a certain polish: but our friend Crassus seems not to confine an orator within the bounds of that art, but within those of his own genius, which is next to infinite. For his discourse put into the hands of an orator the helm of government, and I own, Scævola, I was a good deal surprised that *you* granted him this concession; for I have very often seen the senate induced by a plain unlaboured speech to agree with you upon the most important affairs of state. But if M. Scaurus, who I hear is at his country seat not far from this, a man deeply versed in the affairs of government, were to hear you, Crassus, arrogate to yourself all the weight of his dignity and political knowledge, he would, believe me, soon be with us in person, and, by his significant looks, frighten us out of all this prating. For though he is no contemptible speaker, yet, in

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matters of consequence, he trusts more to his good sense than his eloquence. Give me leave to say farther, that supposing a man possessed of both accomplishments, supposing him to take the lead in public debates, and to be an excellent senator, nevertheless he may not be a good orator; or supposing another possessed of eloquence, and at the same time of political sagacity, his knowledge is not by any means a necessary consequence of his skill in oratory. These qualities are not only very different, but entirely unconnected with each other; nor did M. Cato, P. Africanus, Q. Metellus, and C. Lælius, who were all of them eloquent men, by the same means attain to excellence in speaking and to dignity in the state.

CHAP. L.

FOR there is nothing, either in the nature of things, nothing in any law or custom, to hinder a man from mastering more than one art. If Pericles therefore was a most eloquent man, and at the same time a leader in all the public deliberations of the state for many years, we are not hence to conclude that his abilities in both are owing to the same cause; nor, if P. Crassus was a good speaker, and at the same time a good lawyer, that the knowledge of the civil law is for this reason necessarily connected with eloquence. For if every man who is eminent in some one art shall likewise associate with it another,

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the consequence will be, that the profession, thus associated, will appear but a branch of that in which he is eminent. Otherwise we may pretend, that to play at tennis, or at pebbles, is a property of the civil law, because P. Mucius is very skilful in both. And by the same rule, the men, termed by the Greeks natural philosophers, ought to be accounted poets, because Empedocles the naturalist wrote a finished poem. Even the philosophers themselves, who claim every subject as belonging to their study, dare not maintain that geometry and music are within the province of philosophy, because it is allowed that Plato was in the highest degree master of those sciences. However, if you will insist upon subjecting all arts to eloquence, you had better say, that as eloquence ought not to be meagre and unadorned, but enriched, and, as it were, decorated by a variety of ornaments, he is a good orator who has heard, who has seen, who has meditated upon, and read of, the greatest number of objects which he does not possess as his own, but as auxiliaries to his profession: for I own that an orator ought to have address, experience and correctness, and to be not a guest or a stranger, but as it were an inmate of the commonwealth.

CHAP. LI.

NOR indeed, Crassus, am I at all impressed with those pompous declamations, which, in your late discourse, you borrowed from the philosophers,

when you said that no man could either inflame, or, when inflamed, allay the passions of an audience, effects by which the chief power of an orator is discerned, unless he has a clear insight into the nature of things, the manners, and views of mankind : in which case, philosophy becomes the necessary study of an orator ; a study in which we have known men, even of the most consummate genius, and the greatest leisure, waste their whole lives ; men, whose various and extensive attainments, so far from despising, I admire ; but, as for us, whose business lies with the people, and in the forum, it is sufficient if we know and can talk just so much of the manners of mankind as to shew us not to be unacquainted with the world. For did ever any sensible orator, when he wanted to excite the anger of the judge against his adversary, hesitate at this because he did not know whether anger was a fervour of the mind, or a desire of revenge ? Was there ever a man, who, when he wanted to agitate the judges or the people, with any other of the human passions, expressed himself in the same terms with those philosophers, some of whom say that the mind ought not to be susceptible of any emotions, and that they who, in pleading, excite the passions of the judges are guilty of detestable practices, while others, wishing to appear not so rigid, but accommodating themselves to real life, maintain, that the emotions of the mind ought not to be violent, but rather to be tranquil ? But an orator, by his language, exaggerates every thing that, in common life, is deemed

deemed evil, troublesome, and to be avoided. At the same time, he magnifies, by his eloquence, those objects, which to the generality of mankind are inviting and lovely : nor does he want to be thought so very wise among fools, as that his hearers should take him either for a pedant, or a minute philosopher of Greece ; for while they approve of the genius and admire the good sense of the orator, they will take it very ill that they are regarded as uninformed. But he seizes the passions of his audience, and so charms their senses as not to need the definitions of philosophers, or to examine whether the chief good is seated in the soul or the body ; whether it is to be defined by virtue or pleasure, or whether these two can unite together ; or, finally, whether the opinion be just which some hold, that we can arrive at a certain knowledge of nothing :—all these are points, I confess, of great and extensive learning, and which admit of many copious and various reasonings. But, Crassus, we are discussing the merits of a very different question ; we seek a clear-headed man, sagacious by nature and improved by practice ; one who has good sense enough to perceive what are the inclinations, the sentiments, the opinions, and the hopes of his countrymen, and of the persons to whose understandings he addresses his discourse.

CHAP. LII.

He ought to have within himself, as it were, the springs which set in motion men of every kind,

kind, age, rank, and to sympathise with the feelings of those with whom he has or is likely to have any dealings. But as to the writings of philosophers, let him reserve those to the leisure and repose of a private discussion, like the present; lest, if he should at any time be obliged to speak upon justice and honour, he should imitate Plato; who, in endeavouring to explain these points in his writings, created a new community, to be found only in his books; so widely did his sentiments of justice differ from the customs of life and the institutions of states. But if these maxims are to be approved of by the public, who, Crassus, would have allowed you, though possessed of distinction and influence beyond any other in the state, to express yourself in this manner in a large assembly of your countrymen? ⁱ Deliver us from our CALAMITIES; deliver us out of the JAWS of those whose cruelty cannot be satiated with our blood; suffer us not to be SLAVES to any but yourselves, to whom we owe and are willing to pay due submission. ^{*} I omit those calamities into which, as the philosophers maintain, a brave man cannot fall. I pass over those jaws, from which you wanted to be delivered, lest

ⁱ *Deliver us from our calamities.*] These are the words of Crassus in an oration which he pronounced before the people upon a difference that happened betwixt the senators and the knights. This fragment is sufficient to shew the distress to which the senate was reduced upon that occasion.

^{*} *I omit those calamities.*] The reader, in this and many other passages, will perceive, that Cicero alludes to the opinion of the Stoics, who admitted of no mediocrity in principles, and made no allowances for passions and circumstances.

lest your blood, by an iniquitous proceeding, should be absorbed; a circumstance which, according to them, cannot happen to a wise man; but you ventured to go so far as to say that not only you, but all the senate, whose cause you was then pleading, were enslaved. Can virtue, my friend, be enslaved, according to those authors whose dictates you comprehend in the office of an orator? Virtue, the only thing that is eternally free; virtue, that while bodies are taken in war, or bound in chains, ought still to assert her own freedom, the loss of which nothing can compensate. But you farther added, that the senate not only could, but ought to be the slaves of the people. What philosopher is so effeminate, so tame, so dependent upon corporeal pleasure and pain, for happiness or misery, as to admit of this doctrine? That the senate should be the slaves of the people, they to whom the people have entrusted, as it were, the reins of government wherewith to check themselves?

CHAP. LIII.

THIS, in my opinion, was uttered with divine energy, but ¹ P. Rutilius Rufus, a learned man, and a philosopher, maintained that what you said was not only improper, but base and criminal. The same person used to blame ^m Servius

¹ *P. Rutilius Rufus.*] Cicero has here introduced the character of a true stoic in the person of this Rutilius.

^m *Servius Galba.*] This Galba was a very artful, cunning man; when he was governor in Spain he was guilty of great oppression and cruelty, and therefore impeached upon his return.

vius Galba, whom he said he well remembered, because, in an action brought against him by L. Scribonius, he excited the compassion of the people, when M. Cato, the severe and implacable enemy of Galba, declaimed against him with great bitterness and vehemence, before the people, in a speech which he himself has published among his antiquities. The circumstance, however, for which Rutilius blamed Galba, was because he had raised as it were upon his shoulders the young son of Caius Sulpicius Gallus, who was his relation, and thereby drew tears from the people, upon their remembering how dear his father had been to them ; and recommended himself and his two infant sons to the protection of the Roman citizens ; and had, in the manner usually done by soldiers, without observing the usual forms, left the people of Rome the guardians of those orphans. Rutilius said, that, by those pathetic strokes, Galba, though detested by the people at that time, was acquitted ; and I find the same assertion made in the writings of Cato, who observes, that, had it not been for the children and his tears, he had certainly been condemned. Rutilius expressed great indignation at all this, and said, that banishment, and even death, was preferable to such humiliating supplications ; and he not only said this, but proved, by his practice, that he thought as he spoke ; for he was, as you know, a model of integrity, and though no man in Rome was more upright in his conduct and in his principles, he not only refused to supplicate the judges, but to use any other means of defending himself, but the

the simple language of truth. He allotted some part of his defence to Cotta, a most eloquent youth, the son of his sister. Q. Mucius likewise had some share in that defence, and spoke in his own way, without pomp, but with purity and perspicuity. But if you, Crassus, who a little while ago maintained that an orator, in order to perfect himself in eloquence, must have recourse to the disquisitions of philosophers, had then pleaded, and had you been at liberty to have spoken for Rutilius, not as a philosopher, but in your own character as an orator, though those wicked men were really the cause of much evil to the state, and deserved severe punishment, yet the power of your eloquence would have eradicated from their inmost breasts the sense of their guilt ; now we have lost the man, who, in making his defence, spoke as if he had been tried in Plato's utopian commonwealth. Not a sigh was heard ; no shouts of approbation proceeded from any of the advocates ; not a pang was felt ; not a complaint was made ; nobody implored the state ; nobody interceded for the accused. In short, nobody so much as stamped the ground with his foot ; for fear, I suppose, lest it might offend the Stoics.

CHAP. LIV.

THIS Roman senator imitated the ancient Socrates, who, though he surpassed all other men in wisdom and purity, was yet tried for his life, and

and at his trial spoke in such a manner as to appear not a suppliant or a prisoner, but the lord and master of his judges. So that when Lysias, a very eloquent orator, brought him a ready composed oration, which he might have committed to memory, and repeated in his defence, he, on reading it, which he did without objection, acknowledged it to have been well written; but, he added, if you brought me Sicyonian shoes, that were very neat, and just fitted me, I should refuse to wear them, because they little become a manly character; so I think this oration is eloquent and animated, but not strong and magnanimous. The consequence of this was, that he too was condemned; not only in the first votes, by which the judges only determine whether they shall condemn or acquit, but in the sentence which, by their laws, they are afterwards obliged to pass. For at Athens, when the accused was condemned of any charge not capital, the punishment admitted of being extenuated. When in consequence of the first sentence, the accused was left to the power of the judges, he was asked, what he could chiefly plead in mitigation of punishment? Socrates being asked this question, answered, that he deserved to be distinguished with the highest honours and rewards; and that provisions should be served up to him in the ^a Prytaneum, every day and in a public manner; which in Greece is looked upon as the highest mark of honour. This answer so much exasperated

^a *Prytaneum*.] This was a place in Athens where their public affairs were transacted.

rated the judges, that they condemned to death that most innocent person, who, if he had been acquitted, which I own is nothing to us, though I cannot help wishing his acquittal, on account of his great genius, how can we bear with these philosophers, who (though Socrates was condemned for no other crime but his want of Eloquence) pretend, that all the rules of speaking are to be derived from them? I contend not with them about the superiority or truth of the two professions, I only affirm, that eloquence is different from philosophy, and may, without it, be perfect.

CHAP. LV.

FOR now I perceive, Crassus, the reason why you so warmly extolled the civil law; which, while you were speaking of it, I did not perceive. In the first place, you recommended yourself to Scævola, whom all of us have the greatest reason to love, for his great affability of temper. His profession, which you found unendowed, unattended, and unadorned, you set off by enriching it with the treasures of language. In the next place, as you had bestowed a great deal of pains and labour upon this profession, while Scævola was the promoter and guide of your studies, you were afraid, if you did not exaggerate its merits by your eloquence, that you had lost your labour. But I do not even find fault with that attainment; let it have all the importance you have ascribed to it. For without doubt it is great, extensive, generally

rally important, highly honourable, and our most eminent citizens are now at the head of that profession. But beware, my friend, lest, while you want to dress out the study of the civil law, you strip it bare of those ornaments that belong to it. If you had represented law and eloquence as mutually dependent on each other, you would have laid the foundation of two eminent pursuits, equal in themselves, and sharing the same dignity. But, by the argument you just now used, you confessed that a man may be, as many have been, a lawyer, without that eloquence which is the subject of our present enquiry; but you deny that without the knowledge of the civil law it is possible to form an orator. Thus, you represent a lawyer in himself as nothing but a legal quibbler, a crier of courts, a declaimer of forms, and a hunter of precedents. But, because an orator while pleading often makes use of law, you have joined the study of the law to that of eloquence, as if the former were but a subordinate branch of the latter.

CHAP. LVI.

BUT, as you have expressed your surprise at the impudence of those advocates, who with very little knowledge make very great professions, or in causes presume to treat of the most important points in the civil law, though they, as having never learnt, are ignorant of them; both these seeming absurdities may be very easily and readily defended. For we are not surprised that a man
who

who is ignorant of the forms of a marriage contract, should be capable of espousing a woman who has been already betrothed. Though the art of navigating a great and a small vessel is the same; yet it does not follow that he who is unacquainted with the form of drawing up an agreement, should, for that reason, be incapable of pleading a cause upon the distribution of the estate of a family. As to the instances you alleged of some important trials before the Centumviri, which of them could not have been very eloquently conducted by a man of eloquence, though unskilled in the law? In all those causes indeed there was a wide difference of opinion among the greatest men of the law; especially in that of Manius Curius, which was lately pleaded by you; in the case of C. Hostilius Mancinus, and of the child born of a second wife, without any intimation of the father's intention to marry being sent to the former, which was still alive. I should, therefore, be glad to know what assistance the knowledge of the law can afford to an orator in those causes wherein the lawyer, who has the superiority, succeeds not by means of his own, but of a foreign profession? I mean he is supported, not by his skill in law, but by eloquence. Indeed I have often heard, that when Publius Crassus stood for the ædileship, and was supported by Ser. Galba, who was his senior, and of consular dignity, because he had betrothed the daughter of Crassus to his own son Caius, that a certain countryman applied to Crassus for his advice:

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after he had taken Crassus aside, and laid the matter before him, he was dismissed with a very just answer, but less favourable than the situation of his affairs required : that when Galba saw him look melancholy, he called him by name, and asked him what the affair was respecting which he had consulted Crassus ? The man told him with a visible concern what it was ; I see, answered Galba, that Crassus hath given you his opinion while his mind was perplexed in another business. He then took Crassus by the hand, and asked him, “ what did you mean by giving such an opinion ? ” On this that great man began to insist that his opinion was unquestionably right. But Galba, by various and numerous allusions, alleged many parallel cases, and spoke much in defence of equity against law ; that Crassus being no match for Galba, though an able speaker, but not at all equal to the other, he hastened to his books, and brought the writings of his brother Publius Mucius, and the commentaries of Sextus Ælius, as vouchers for what he advanced ; yet, at the same time, he owned that the reasonings of Galba were very plausible, if not altogether solid.

CHAP. LVII.

YET causes that are of a nature, not to admit of doubt in point of law, never used to be tried in courts. For who claims an estate by virtue of a will, which a father had made before his son was born ?

born ? None, because such an event sets the will aside ; so that cases of this kind admit of no dispute in law. An orator therefore may without any blame be ignorant of this part of the law in actions, a part that without doubt is by far the greatest. But, in law cases, that are discussed by men of the greatest skill in their profession, it is no difficult matter for an orator to find some authority, from which he may receive weapons to defend the part he supports, and direct them when thus received with the nervous force of eloquence. But, (I speak with the indulgence of my good friend Scævola) when you defended the cause of your father-in-law from writings and rules of law, did you not urge, in your defence, the principle of equity, the right of testaments, and the intention of the deceased ? But give me leave to say, as I was myself present and heard you, that you obtained the greater part of the votes by your wit, your humour, and your delicate strokes of raillery. When you derided the mighty discovery made by Scævola, and admired his penetration in finding out, *that a man, before he dies, must be born* ; when you cited many authorities from the decrees of the senate, from common life, and common conversation, with much wit, raillery, and acuteness, all tending to prove, that if we are to follow the letter more than the spirit of a deed, justice in no wise can be attained. The trial was conducted indeed with a great deal of mirth and pleasantry ; but I could not understand that the knowledge of the civil law was of any service to you ; but

I 2 your

your extraordinary powers of eloquence, joined with consummate elegance, was of the greatest avail. Mucius, himself the defender, and, as it were, the champion of paternal inheritance, when he pleaded against you in that cause, what did he display that seemed taken from the study of the civil law? What statute did he quote? What obscurity did he clear up to the unlearned in any part of his speech? His whole object was to prove, that the letter of a deed ought to have the greatest weight. But what is this more than every school-boy practises under his master? as, in causes of this kind, scholars are taught sometimes to defend the letter, and at others the equity of a deed. And is it likely that, in the ^o cause of the soldier, had you appeared in behalf of the soldier's claim, that you would have placed the stress of your pleading upon the precedent of Hostilius, and not in those eloquent powers of address which are so peculiar to yourself? Had you defended the testament, you would have shewn that the right of wills was fundamentally called in question in this trial; or had you defended the cause of the soldier, you would in your own way have raised his father from the grave; you would have placed him before our eyes; he would have embraced his son, and with tears in his eyes would have recommended him to the protection

^o Cause of the soldier, &c.] Pontius, who had sent his son to the war against the Cimbri, persuaded by a false information that he was there slain, appointed by his will Torquatus for his heir, and died: but his son, his lawful heir, on his return from the army, got the will to be set aside by a decree of the senate.

protection of the Centumviri. By heavens! he would have forced the marble walls to weep aloud, so that the maxim to decide agreeably to the intention of the testator, written in the twelve tables, which you prefer to all the libraries in the world, would have had no more weight, than if it had been recorded in an old ballad.

CHAP. LVIII.

As to the charge of indolence you brought against the young men who neglect to study this very easy art;—that it is easy of attainment will not be allowed by those who pride themselves upon the acquisition of it, as though they had compassed the most difficult task in the world. In the next place, consider, I beseech you, what *you* have said, namely, that it is a very ^o easy art; at the same time you owned that it was not absolutely an *art*, but that some time or other, if somebody should learn another *art* for reducing this into an *art*, then it would be an *art*. Moreover, with regard to its being delightful, these gentlemen will freely make over to you all their share of the pleasure, and are contented to be without it; nor is there one amongst them, who having any thing to study, would not chuse rather to commit to memory the ^o Teucer of Pacuvius, than

^o Easy art.] I have purposely preserved the repetition of the word *art*, because Antony seems to intend that it should throw the reasoning of Crassus into a ridiculous light.

^o Teucer of Pacuvius.] This Pacuvius, the son of the famous

than the statutes of Manilius, respecting bargains and sales. As to your opinion, that the love of our country ought to stimulate us to study the institutions of our ancestors, do not you see that the old statutes either are become obsolete, or repealed by new laws? But you think that the civil law renders men good, because it enacts rewards for virtue, and punishment for vice. I always was of opinion that if virtue can be communicated by reason, it is to be communicated by precept and persuasion, and not by menaces and compulsion. For even without the knowledge of any positive law, we may be sensible of the beauty of this maxim, to guard against evil. But with regard to myself, to whom you concede as a privilege peculiar to myself, that I am able to act in causes without the least knowledge of the law,

mous poet Ennius, being himself an excellent tragedian, was born at Brundisium, and died in extreme old age; for Quintilian says, he lived about ninety years. We have his epitaph in A. Gellius, b. 1. ch. 24. thus wrote by himself, which may serve to shew his great modesty.

*Adolescens, tamen etsi properas, hoc te saxum rogat,
Uti ad se aspicias: deinde quod scriptu'st legas.
Hic sunt poetæ Marcei Pacuviei sita
Ossa. Hoc volebam nescius ne esses. Vale.*

[Virtue can be communicated.] The pagan philosophers, as well as the Christian divines, had their disputes upon the subject of virtue; namely, if one could be virtuous by the assistance of nature alone, without the assistance of reason, or if they both contributed. Socrates was of the last opinion, but others declared for the first, saying, that virtue depended upon the constitution of our temper. The Peripatetics followed the mean between both extremes, for they taught that there is a seed of virtue implanted in our souls that flourishes by supernatural aid.

law, my answer, Crassus, is, that I never either studied the civil law, nor was I ever sensible of any loss for not knowing it, in those causes which I was capable of managing in our courts. For it is one thing to be a complete master of any particular profession, and another to be not unacquainted with common life, and the general practice of the world. Which of us would not go round his estates, or decline looking into his affairs in the country, either for profit or delight? Yet there is no man so devoid of sight and sense, as to be absolutely ignorant of all that relates to seed-time and harvest, to the pruning of trees and vines, at what time of the year, and after what manner they are done. If therefore any gentleman was to survey his estate, or to give any orders to his steward or his manager in the country respecting agriculture, must he make himself master of the works of Mago the Carthaginian? Or ought we to be contented with the common knowledge we have acquired on this subject? Why therefore, in like manner, may we not be sufficiently skilled in the civil law, especially as we are worn out by the business and practice of the forum, so far, at least, as not to appear entire strangers in our own country? But if some cause more intricate than usual were laid before us, do you imagine it would be very difficult for us to consult

[Mago the Carthaginian.] The author of eight and twenty books upon country affairs; which were judged to be of so great use, that Dionysius of Utica, by order of the senate, translated them into Latin. There remains to this day some fragment of the said work in the Vatican library at Rome.

consult our friend Scævola, though the very people who laid their causes before us bring every thing to us ready consulted and prepared? But if the dispute should turn upon a matter of fact, upon marches which lie at a distance, upon deeds and prescriptions, we must then make ourselves masters of more knotty and more intricate points. If we are to explore the laws or the opinions of eminent professional men, have we reason to fear, though we have not studied the civil law from our youth, that we shall not be able to master these?

CHAP. LIX.

BUT you will ask, is the knowledge of the civil law then of no benefit to an orator? I cannot affirm this of any study, especially with regard to the person whose eloquence ought to adorn the different subjects he treats of; but those qualities that are indispensable to an orator are so many, so great, so difficult, that I am unwilling his attention should be occupied in too many pursuits. How can any one deny that an orator's manner of speaking may not be improved by the graceful action of Roscius, yet it never came into any man's head to persuade those young gentlemen who study rhetoric to practise the airs of a player, while they are studying action. To an orator what is so necessary as a good voice? Yet no one, who wishes to speak well, will ever with my concurrence make the management of his voice the principal object of his attention, as is the case with

with the Greeks and the tragic actors, who for many years together declaim in their seats, and every day, before they pronounce a word, in their beds gradually raise their voice, and when they have done pleading sit down, and, as it were, measure it by a scale, from the sharpest to the fullest tones. Were we to follow such a practice, our clients would lose their causes as often as we attempted it, before we could get half through the scale. But if it be improper for us to be at much pains about our gesture, which is of great service to an orator, and our voice, which of itself is a powerful auxiliary of eloquence; and if, in improving both, we are to regard the conveniency and the leisure which we have from our daily practice; how much less important is it to descend to the study of the civil law? which, in general, can be understood without a professional knowledge of it, and is so far different from the voice and action, that these, upon any emergency, cannot be derived from another quarter; whereas all the utility of the civil law in any cause, may, on the shortest notice, be known either from books or its professors. For this reason, those very eloquent men have their assistants, who are skilled in law affairs, though they themselves know nothing of the matter, and those assistants, as you observed a little while ago, are called solicitors. In this respect, our countrymen take a much better method in guarding the laws

* *Before we could get half through the scale.*] All this passage for two or three lines before can scarcely be translated; the original is *peanem aut munitionem*, which probably answers to our *solfæ la*.

laws and the rights of their country by the authority of the most eminent men. But the Greeks, if they thought it necessary that an orator should himself be skilled in the civil law, and not leave every thing to a solicitor, would never have neglected this precaution.

CHAP. LX.

As to what you say about old age being secured against solitude, by the knowledge of the civil law, that may be admitted, for they commonly make a great deal of money by it; but the subject of our enquiry respects not what is useful to us, but what is necessary to an orator. And, because we derive from one artist in his way a great many properties resembling those of an orator; *the same Roscius used to observe, that the older he grew he would render the musical notes, and the recitative, more slow and remiss; but if he who was bound down to certain numbers and dimensions, studied how to indulge his old age, with how much greater ease may we not only relax, but even alter the whole strain? For you, Crassus, must be sensible how manifold and various are the modes of eloquence, and I know not but you yourself prove this, since you have
long

* *The same Roscius.*] It would appear from this, and many other passages of antiquity, that the Roman players, while they were acting, spoke to certain airs of music which accompanied their voice.

long spoken much more deliberately, and with less vehemence, than you used, and yet the smoothness of this grave manner is as much approved of as all the commanding power of energy you formerly exerted; and there have been many speakers, who, in the manner said to be used by Scipio and Lælius, always delivered themselves in a smooth manner, and never, like Servius Galba, exerted themselves with loudness and violence. But, supposing you are neither willing nor able to practise this at such a period of life, would you be afraid that your house, the house of such a man, such a citizen, if unfrequented by legal disputants, would be deserted by others? Indeed so far am I from that opinion, that I not only think that the comfort of old age does not consist in the multitude of those who come to consult upon law affairs, but would long for your dreaded solitude, as a refuge in which I might repose; for I look upon retirement as the most charming solace of old age. As to the other points, even though they are useful, I mean the knowledge of history and the municipal law, *the progress of antiquity, and variety of precedents, if at any time I have occasion for them, I would consult my friend Longinus, who is both a very worthy man, and extremely well versed in
such

* *The progress of antiquity.*] Cicero probably means by the expression of *iter antiquitatis*, which is in the original, the progress which the laws of the twelve tables made from one country to another, before they were digested and became the laws of Rome.

such matters; neither am I against the advice which you just now gave, that they should read, attend the discussion of every subject, apply to every commendable study, and every branch of polite learning. But, indeed, Crassus, if they should resolve to follow your dictates, I do not see what time they can have for accomplishing it; you likewise seem to me to lay too severe a task upon gentlemen of that age, though I own it almost necessary to the attainment of their object. For unpremeditated speaking upon causes that are proposed, and correct, digested declamations, together with the use of the pen, which, as you have well observed, form a finished orator, are tasks which require effort and resolution; and the comparison which you mentioned one ought to make betwixt his own and those of others compositions, together with the extemporary practice of praising or reprehending, of defending or refuting, the writings of another author, is no easy matter, either for the memory or the judgment to compass.

CHAP. LXI.

BUT another observation which you made was truly formidable, and I fear more calculated to discourage than to promote the study of oratory; for you insisted upon each of us being, as it were, a Roscius in his profession; you said that excellence was not applauded in the degree that
defect

defect excited disgust; yet I do not think that our exhibitions are examined so critically nice as those of an actor. In proof of this, I have often seen an audience profoundly attentive to gentlemen of our profession, even though they were hoarse; because the superior importance of the subject engages their attention; but if Æsopus has but a little hoarseness he is hissed. For when people look for nothing more than to please their ears, they are offended with every circumstance that in the least takes off from that pleasure. But in eloquence there exist many properties which are interesting enough to please them; and if all of these are not, as is generally the case, of the greatest consequence, it necessarily happens that those which are so should appear admirable. But to return to the principal subject; suppose an orator be a person, as Crassus has described him, who knows the most proper method of persuading; I would have him confined to the usual practice of this city and forum. Quitting all other studies, however inviting and noble, he should, as I may say, night and day press to this mark; he should imitate Demosthenes, the Athenian, who is allowed to have been an excellent orator, whose application, it is said, was so indefatigable, that, by habit and perseverance, he surmounted the defects of nature. For having such an impediment in his speech, that he could not at first pronounce the first letter of the rhetorical art, he grew so correct by art and practice, that he was thought to pronounce this letter as distinctly as any man of
his

his time. He laboured, moreover, under great difficulty of breathing, yet, by suspending his breath, he attained so free an utterance, that in one continued period, as may be seen in his works, he twice raised and lowered his voice. We are farther told, that putting pebbles into his mouth, he used in one breath to pronounce aloud a number of verses, and that too not standing, but walking, and mounting a steep ascent. I am, Crassus, entirely of the same opinion with you, that young gentlemen ought to be quickened to study and application by such motives as these. As to the other accomplishments, which you have collected from the provinces of other professors, though a master of them all yourself, yet they are, I think, quite distinct from what constitutes the proper business and office of an orator.

CHAP. LXII.

WHEN Antony had concluded, Cotta and Sulpicius really seemed at a loss to know on whose side the truth lay. On this Crassus observed, you my friend have given us a speaker who is not much better than a mechanic: and I suspect that you have not expressed your own sentiments, but had recourse to that wonderful talent for refuting, which is so peculiar to yourself, and which indeed forms one branch of an orator's profession, but has, for some time, been appropriated by philosophers, especially those who used to speak on both sides of any question proposed to them,
with

with the greatest readiness. But it never entered into my mind, that what I had to do, especially in this company, was to delineate the qualifications of a man, who dwells in the lower forms of a court, and never rises above what the immediate nature of his cause requires. No, I fixed my attention upon a higher character, when I gave it as my opinion, that an orator, especially a Roman orator, ought to be destitute of no accomplishment. But as you have confined the profession of an orator within certain narrow bounds, it will be the more easy for you to explain to us what you require, as to his duties and learning. But I think we may refer that to another day; for at present we have said enough. Scævola, as he proposed to go to Tusculanum, should rest a little till the heat is abated, while we should, since the time of the day requires it, take the exercise necessary to our own health. When the company agreed to this, Scævola said, I wish indeed that I had not appointed this day to see Lælius at Tusculanum; I should then have heard Antony with great pleasure; and rising up, he added, with a smile, really it did not give near so much pain, that Antony pulled the civil law in pieces, as it gave me pleasure that he confessed he knew nothing of it.

THE END OF THE FIRST DAY'S CONFERENCE.

M. TULLIUS CICERO
ON THE
CHARACTER OF AN ORATOR.

THE SECOND CONFERENCE.

CHAP. I.

MY dear brother, if you remember, when we were boys, we were firmly persuaded that Lucius Crassus knew but the rudiments of knowledge, and that Antony was entirely unacquainted with learning; there were many others of this opinion, who, to divert with greater ease our eagerness in the pursuit of eloquence, industriously circulated what I have just now advanced; and inferred, if men while yet unlearned possessed the soundest sense, and a wonderful eloquence, that all our labour must be in vain, and that the care which our excellent and wise father took of our education, proved no real benefit. We used, while yet boys, to confute these positions, by instances within our own family, our father, and our friend Caius Aculeo, and our uncle Lucius Cicero; because our father, and Aculeo, who had married our aunt, and was a great favourite with Crassus, and our uncle, who accompanied Antony in his journey to Cilicia, told us a great deal

deal, with regard to his early attainments. And as we were pursuing, together with our cousins, the sons of Aculeo, those studies which Crassus approved, and received instruction from those teachers whom he employed, we understood (for though we were boys we had sense enough to see this), that he spoke the Greek language so well, that one would have thought he was master of no other tongue, and that he proposed such questions to our teachers, which he himself discussed in such variety of style, that nothing seemed new, or foreign, to his knowledge. As to Antony, though I had very often heard from my uncle, a person eminently informed, with what assiduity he attended the discourses of the learned, both at Athens and Rhodes, yet, when I was but a very young man, I often put a great many questions to him, so far as it was consistent with that modesty which is natural to youth. I own, that at present I write nothing that is new to you, for, even at that time, I informed you, that in all the various subjects I touched upon, I never found him either a novice, or uninformed in any point, provided it lay in those arts of which I could form any judgment. But these two great characters differed in this, Crassus affected to appear not to be ignorant of, but to despise, those points, and to prefer, upon every subject, the good sense of his own countrymen to that of the Greeks: but Antony thought the best way to recommend his eloquence to the people, was to appear as if he had never learned any thing. Thus, the one thought he would have greater
K weight

weight by despising and the other by seeming to know nothing at all of the Greeks. As to the views which each entertained in this, they are nothing to our present purpose: but there is another which directly coincides with my design on this occasion; namely, that no man ever made a figure, or excelled in eloquence, unless he studied it as an art, and cultivated all the branches of human knowledge.

CHAP. II.

FOR almost all other arts exist independently of one another, but that of eloquence, which is the art of speaking with judgment, skill, and elegance, hath no determined limits within which it can be confined. An orator must be eloquent upon every subject that admits of discussion; if he cannot make it appear that he is capable of this, he should leave the profession of eloquence. At the same time I own, that, both in this country, and even in Greece, where this profession has ever been in the highest reputation, numbers, of the finest genius and greatest talents in speaking, have appeared, without being absolute masters of all the sciences; but that such eloquence, such command of language as Crassus and Antony possessed, can exist, without the knowledge of every subject that bears any affinity to so distinguished a faculty, is what I positively deny. This has induced me the more freely to commit to writing the conversation which they once had together upon these subjects: both to refute an opinion,

opinion, universally prevalent, that Crassus was not the most learned man of his age, and that Antony was entirely illiterate, and also, if by any means it be possible, to preserve, upon record, what I thought a divine discourse on the subject of eloquence, which was delivered by the greatest of men, and even to do all I can to rescue from oblivion the glory of their names, which is now beginning to fade from the recollection of men. For, if there were any means of being acquainted with their merit from their own writings, perhaps I should not think myself obliged to be at so much trouble; but as the one wrote very little, I mean that few things written by him have come to our hands, and what he did write was when a very young man, and the other left scarcely any thing behind him, I thought it was a duty I owed to the memory of those great men, if I could, to render it immortal; especially as the remembrance of them both still dwells lively in my mind. This I attempt with the fairer prospect of success, as I do not write any thing concerning the eloquence of S. Galba or C. Carbo, where I might indulge in a fiction that could no longer be refuted by the testimony of any living. But what I publish is well known to those who have often heard the very persons I mention. Thus, I shall recommend two of the greatest men, to such as never saw either of them, by the evidence of those who are now alive, and upon the spot, and who have both seen and remember them.

CHAP. III.

NOR think, my excellent and affectionate brother, that I propose to imitate you in some oratorical works which you suspect to be inelegant and uninteresting; for what style can be more polished or beautiful than yours? but, as you abstained from public speaking from choice, or, as Isocrates, the father of eloquence, writes of himself, from diffidence, or an ingenuous sense of inability, or, to use your own humorous language, because one talker was enough, not only in one family, but almost in one state; yet I do not think that these writings will be ranked by you in that class, which is deservedly ridiculed for the poverty of those authors in all the fine arts, who have lectured upon the subject and study of eloquence. For it appeared to me, that nothing was omitted in the conversation of Crassus and Antony, that any man of the greatest parts, the most vigorous application, the deepest learning, and the widest experience, could be supposed to have acquired: this you may easily be a judge of, as you have chosen to acquire the science and theory of speaking from your own good sense, but have left the practice to me.— But that I may the sooner finish the important point I propose to handle in these pages, without any farther preamble, I shall proceed to the discussion of my subject. // To begin then; the day succeeding the above conversation, at eight in the morning, before Crassus got out of bed, while

Sulpicius

Sulpicius was sitting by him, and Antony walking with Cotta in the portico, the aged Q. Catulus, with his brother, ^v C. Julius, unexpectedly came to see them. When Crassus heard this, he rose in some confusion, and they were all in an amazement, suspecting that the motives of their visit was something more than ordinary. After the usual compliments had passed, Crassus says, I am glad to see you, gentlemen; any thing new? Nothing at all, answered Catulus, for you know the games are celebrating, but I fancy you will think us very impertinent, or very troublesome. When Cæsar came last night from his own country seat, to me at Tusculanum, he told me he had met Scævola in his way from you, who told him some things that surprised him; namely, that you, whom I could never, by any means, engage in a dispute, discussed, at great length, with Antony, the subject of eloquence, and that you conducted the discussion as in a school, almost in the manner of the Greeks. For this reason, my brother prevailed on me to come hither, though I own myself I was not very averse from hearing you, but was afraid lest we should intrude upon you in an unseasonable hour. For he told me that Scævola had said, a good part of the conversation was deferred to this day. If you think this was taking an undue liberty, you must impute

^v C. Julius.] The reader is not to imagine that this was the famous dictator, though of the same name and family; for the dictator was not above ten years of age at the time when this conversation is supposed to pass.

impute it to Cæsar, but if it be deemed a freedom, not inconsistent with friendship, impute it to us; for it certainly gives us a great deal of pleasure to wait upon you, if our visit be not unreasonable.

CHAP. IV.

INDEED, replies Crassus, whatever was the motive that brought you hither, I am exceedingly pleased to see, at my house, men whom I so much love and esteem; yet at the same time I speak but the truth, when I declare that I had rather you came here from any other motive than that which brought you. I can say from my heart, that I never was less pleased with myself than I was yesterday. Yet it happened rather through good-nature than any other fault of mine; for while I was indulging the young gentlemen, I forgot that I was, myself, an old man doing what I had never done, even while I was young, that is, disputing upon points of science. But one thing happens luckily enough, that my part is played, and Antony now appears upon the stage. Then answers Cæsar, indeed Crassus, I am so desirous of hearing you in a long, continued debate, that rather than be disappointed I should prefer listening to you in common conversation. I am indeed willing to try whether my friend Sulpicius, or Cotta, have more influence with you than I, and to prevail with you to extend some part of your good nature to Catulus and myself. But if that is any way disagreeable to you, I will not press

press it, nor, while I dread lest you should be impertinent, will I run the risk of your thinking me so. Indeed, replied he, Cæsar, of all the words in our language, the word ^z *impertinent* conveys the most pointed signification; for the person whom we call *impertinent* incurs that epithet from being destitute of propriety; and this word is of great extent in our language; for the man who neither knows how to suit himself to the occasion, who speaks too much, or affects to display his parts, or has no regard to the character or convenience of the company, or to any other respect, or who is either awkward or loquacious, that man is *impertinent*. This is a fault with which the learned Greeks so abound, that they have not even a term to express it; so that if you should ask how the Greeks describe a man that is *impertinent*, you will find no answer to the enquiry. But of all the innumerable tribes who are *impertinent*, I do not know if any are more so than they who, like the Greeks, without any regard to place or persons, dispute, with great eagerness, upon points that are either very abstruse or unimportant. These young gentlemen yesterday engaged us, against our inclinations, in this practice, which I now condemn.

CHAP. V.

ON this Catulus observed: Why, Crassus, even the Greeks, who, in their country, were eminent and

^z *Impertinent*.] The original is *ineptus*; literally *unfit*, inappropriate. K 4

and great, as you are, and as all of us desire to be, in this, were far from being like their countrymen, who, in these days,^a stun our ears. But yet they did not, in the leisure of retirement, at all decline disquisitions of this kind: and though they who pay^b no regard to seasons, to places, to the characters of men, may appear, as they ought, impertinent, in your eyes, yet at the same time doth not this place seem very inviting? Here we see a real portico, under which we may walk; here is the palæstra; here are numberless other places of recreation: all these, in some measure, revive in our minds the academies and schools of the Greeks. Or can this be thought an unseasonable time, when we have so much leisure; a circumstance that seldom happens, and now occurs very opportunely? Or can we deem discussions of this kind as foreign to our character, who think that these studies are the very

^a *Stun our ears.*] Before the times of Lælius, philosophy was in no esteem at Rome. When the Romans begun to study it, a great many Greeks came to Rome, in order to teach it; but being generally empty pedants, and of no reputation in their own country, when they put themselves under the patronage of the great men of Rome, they soon fell into contempt. These are the men our author speaks of here.

^b *No regard to seasons.*] The reader, no doubt, by this time, begins to have some idea of the character of a great man and a fine gentleman at Rome. Cicero, we may believe, draws his character after life; but more of that in the remaining part of these notes. It is sufficient for me to take notice with what propriety he has marked the character of an impertinent, and how useful the opinion of so great a man as Cicero, in this passage, may be to the conduct of a young gentleman, full of sprightly parts, at his first setting out in life.

very soul of life?^c I put, replies Crassus, upon these things a quite different construction; for, first, I think the palæstra, the seats, the portico, were intended by the Greeks themselves, Catulus, for diversion and amusement, rather than dispute; because academies were instituted many years before philosophers began to prate in them; and even at this time, when the academies are all occupied by philosophers, yet their scholars like much better to attend^d the quoit, than their teachers; for, at the sound of the quoit, they leave the lecturer, to go to anoint themselves for the exercise, in the middle of a subject, however important and weighty; thus, by their own confession, they preferred the slightest pleasure to the highest utility. As to leisure, I agree with you, but

^c *The soul of life.*] In the Latin it is *nullam vitam esse ducamus*; that is to say, as we suppose that we cannot live comfortably and pleasantly without the knowledge of eloquence; for so Crassus, in the remaining part of the chapter, understands the words *nulla vos esse eos, quæ vitam insuavem sine his studiis putaretis*. After the same manner, Plato, in his *de Repub. lib. 1.* where he relates the complaints of the old men, who had lost all the pleasures of youth; then indeed, said they, *we lived happily, but now we do not so much as live.* which place of Plato, Cicero has thus imitated in *senectute quod voluptatibus carerent, sine quibus nullam vitam putabunt.* Pearce.

^d *The quoit.*] *Lat. discus*, it was probably a large weight, with a handle made of thong, and the young men tried who could throw it farthest. We may observe here, that the academies of the ancients have been all upon one plan, divided into different apartments, for the several exercises: they used to anoint themselves with oil, before they went to any bodily exercise.

but the employment of a leisure hour ought not to puzzle, but to unbend the mind.

CHAP. VI.

I HAVE often heard my father-in-law say, that his father-in-law Lælius generally went into the country with Scipio, where they recovered, in a surprising degree, their youthful vigour, when they had escaped from town, as from a cage, and flown into the country. I would be very cautious of what I say concerning such great men, but Scævola used to tell me, that they frequently gathered shells and perewinkles at Gaeta and Laurentium, and stooped to every mode of relaxation, in order to unbend their minds. The case is much the same with birds, which, to provide for their wants, or to propagate their species, build their nests, and after they had in part accomplished their labour, in order to alleviate the toil, flutter about with freedom and gaiety. In the same manner our spirits, tired with the business of the forum and the city, when freed from anxiety and toil, exult and want to be at large. What I urged therefore in the cause of Curius, against Scævola, quite accorded with my present sentiments. Why, says I, Scævola, if no will is valid but what you draw up, we must all come to you with our parchments, and you must be the sole scribe : if so, continued I, when will you do the public business ? When the concerns of your friends ? When your own ? In short, when will you

you give over doing any business ? I proceeded a little farther. The man who is not sometimes free from business, seems to me not to enjoy freedom. I am still, Catulus, of this opinion, and as I am come hither I please myself with the thoughts of enjoying the same freedom from labour. As to your third position, that you thought there can be nothing delightful in life without those studies, this, so far from encouraging, deters me from engaging in them. For as C. Lucilius, a man of learning and refinement, used to say, that he did not wish his writings to be read either by the most learned or the most illiterate part of mankind, because the one understood nothing, the other perhaps too much. For this reason, he said, *I wish not PERSIUS, but LÆLIUS DECIMUS for my reader*, because we know that the first was a man of the greatest learning in his age and country, and the other a worthy man, and by no means illiterate, but nothing compared to Persius. Thus, if I am to dispute upon our profession, I should not chuse to have clowns, but far less to have you for my hearers. For I should chuse to have my discourse not understood, rather than censured.

CHAP. VII.

CÆSAR answers: For my part, Catulus, I think I have already succeeded in the object of our coming hither, for this very refusal to enter upon any argument has, to my wish, formed of itself

self a very pleasant sort of argument. But why should we hinder Antony, whose turn we hear is to lecture upon eloquence in general, and Cotta, with Sulpicius, have been long wishing him to begin. But, answered Crassus, I will neither suffer Antony to open his mouth, nor will I utter a syllable, till you have first promised—What, replies Catulus? That you will pass the day here, answers the other. This caused Catulus, who had promised otherwise to his brother, to hesitate. I will answer for us both, said Julius, and upon these terms too, that though you do not open your mouth, you shall, I assure you, detain me. My hesitation, interrupts Catulus with a smile, is removed; because I have ordered nothing at home, and the very person at whose house I was to have been, has, without consulting me, very readily promised. Upon this they all turned their eyes towards Antony: “Attend, attend, said he, to one who occupies the professor’s chair, and who is deeply read in Greek learning. And I speak with the more assurance, because Catulus is my hearer; to whom not only we, who speak in Latin, but those who use the Greek tongue, yield, in purity and elegance of diction. Unless however you bring to this profession, whether it be called by the name of *art*, or *study*, confidence in yourselves, it will prove unavailing. I will teach you, my good scholars, what I myself never learned; I mean, I will give my sentiments upon all kinds

“Attend, attend, said he.] With what prodigious humour and vivacity does Antony here rally the formality of the Greek professors.

kinds of eloquence. When they had done laughing at this preamble, Eloquence, continued he, to me appears, though a noble attainment, little to deserve the appellation of an *art*. For nothing comes within that denomination, but things that are known. But the whole business of an orator consists not in knowledge, but opinion. For when we are in a court we speak to those who are destitute of clear knowledge, and we speak of things respecting which we ourselves are equally uncertain. They therefore have different sentiments, and form different judgments upon the same things; and we often^f speak upon opposite sides; not only as when I sometimes speak against

^f *Speak upon opposite sides.*] I am pleased with having an opportunity here of quoting one of the finest and honestest sentiments of antiquity; I mean the glorious testimony that Quintilian hath left behind him against this practice too often recommended by our author.

“I will suppose, says he, what is repugnant to nature, that
 “a man with the worst heart may have the finest tongue, yet
 “will I deny that such a man is an orator; for every fellow
 “who has a strong arm cannot be called a man of courage,
 “because courage cannot exist without virtue. And has
 “not the man who pleads for the interest of another occasion
 “for an honesty that no passion can corrupt, no interest can
 “bias, and no fear impair; but shall we bestow the sacred
 “name of an orator upon a traitor, a runagate, and shuffler?”

Concedamus sanè (quod minime natura patiatur) repertum esse aliquem malum virum summe disertum: nihilo tamen minus oratorem cum negabo. Nam nec omnibus qui fuerint manu prompti, viri fortis nomen concesserim, quia sine virtute intelligi non potest fortitudo. Au ei qui ad defendendas causas advocatur, non est opus fide, quam nec cupiditas corrumpat, nec gratia avertat, nec metus frangat; sed proditorem, transfugam, pravaricatorem donabimus oratoris illo sacro nomine?

against Crassus, or Crassus against me, when one of us must be in the wrong; but upon a different occasion we shall express ourselves diametrically contrary to what we said before upon the same subject, whereas truth is uniform and unchangeable. I, therefore, proceed to treat of a thing that is supported by falsehood, and which very seldom can be reduced to a demonstration; which always courts the *opinions*, sometimes the *prejudices* of mankind: if, after such a declaration, you think you do not pay too dear for your attention, I proceed.

CHAP. VIII.

For my part, adds Catulus, I am very desirous to hear you, and the more so because you seem to set out without any ostentation; for you have commenced with a proposition not more true than dignified. Then, proceeds Antony, while I declare, with respect to the nature of oratory, that it is not in strict propriety to be denominated an art, I maintain, at the same time, that artificial precepts may be laid down for moving the passions and winning the affections of mankind. If any body pleases to call this knowledge an art, I have no objection; for as many plead causes in the forum without a regular plan, and some with greater address from practice and experience, there is no doubt, that if a man shall observe the reason why some succeed better than others in speaking, he may find this out. Whoever, therefore, pursues the same method in every
species

species of eloquence, will find it, if not in reality an art, yet to be somewhat that has the resemblance of it. And I wish that it were in my power to delineate in what manner these may be distinguished as vividly, as my fancy now perceives them, in the forum and in pleadings. But I will do my best: What I am now to advance I am fully convinced of, that no character is more eminent than a complete orator, though eloquence of itself be not an art. For not to mention that the exercise of it obtains in every well-regulated state the highest influence, so great of itself is the pleasure derived from the practice of this profession, that nothing can be conceived more agreeable to the ears and understandings of mankind. What music is more charming than the delivery of a regular discourse? What numbers more harmonious than the cadence of a well-turned period? What actor can, by imitating nature, give greater pleasure than an orator does by defending truth? What shews more acuteness than pointed and well-stored sentiments? What is more admirable than a subject illumined by splendour of language? What more gratifying than a speech crowded with materials of every kind? For there is no subject but comes under the province of an orator, I mean those upon which he ought to speak with elegance and propriety.

CHAP. IX.

As to his province, he is in the highest affairs to give his opinion with dignity; and likewise to
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him belongs the duty of rousing a desponding, or checking an outrageous people. By the same profession, the frauds of mankind are detected and punished, and their innocence defended. Who exhorts to virtue with greater ardour? Who is more vehement in reclaiming from vice? Who more severe in lashing the profligate? Who more elegant in recommending the meritorious? Who is more capable of checking the passionate? Who more successful in soothing the sorrowful? But as to history, the recorder of past ages, the evidence of truth, the soul of memory, the directress of life, the herald of antiquity, by what means can it live to immortality, but by the voice of an orator? For if there be any other method which teaches the arrangement of words; if any one, except an orator, can form a discourse and embellish it with all the varieties of language and sentiments, or if there exist any other means of arguing, of expressing, describing, or arranging, not communicated by this profession, I confess that the oratorical art professes an object which is foreign to itself, or which equally belongs to some other province. But if in reality all this be the peculiar office of eloquence, it is not the less so, because the professors of other arts have been eloquent. Because, as Crassus observed yesterday, an orator can speak extremely well upon other arts, provided he is acquainted with them; in the same manner, as persons of other professions can converse more elegantly upon their own, if they have studied eloquence; for if a farmer should express himself well upon country affairs;

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if a physician, as many have done, should write well respecting diseases; if a painter should write or speak with correctness with regard to painting, we are not to conclude from this that eloquence belongs to any of these arts: but such is the force of human genius, that a great many in all professions, and in all arts, are, without the aid of learning, more or less eloquent. And though you may judge of the nature of every art from that which it professes to teach, yet nothing can be more certain than that the exercise of the several arts has no connection with eloquence: an orator cannot even claim the name without it. Thus, if others are eloquent, they receive some assistance from an art which is foreign to their own, but never can he who is not armed with these peculiar powers, borrow eloquence from any other profession.

CHAP. X.

ON this Catulus observes, I ought not, Antony, to interrupt your flowing discourse; yet excuse me if I cannot help exclaiming like the man in the Trinummus of Plautus, so happily do you seem to express the powers of an orator, so lavishly do you praise him. Nothing more becomes an eloquent man than to praise eloquence, since, in recommending it, he illustrates the very subject he recommends. But go on, for I agree that to speak elegantly is wholly your province; and if any man speaks well in another art, he but borrows

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from this : it is not his own, it is not his property. Then, says Crassus, a single night has polished you into a man ; for, as Cæcilius says, yesterday, in describing the character of an orator, you described only a journey-man, a porter, or a clown, equally devoid of refinement and learning. Indeed, replies Antony, yesterday I took in my head, that if I could but confute you, I might be able to entice your scholars from you ; but now that Catulus and Cæsar are present, I do not think that my business is so much to contend with you, as to speak my own sentiments upon this subject. As the person, therefore, whom we speak of is to be placed in the forum, and under the eye of his fellow citizens, we are now to enquire what business we are to allot to him, and what are the duties we require him to fulfil. For Crassus yesterday, before you, Catulus, and Cæsar came, briefly laid down the same positions, in regard to the heads into which a subject should be divided, as the Greeks generally do ; but indeed he expressed not his own sentiments, but their doctrines ; that there are two questions in which eloquence is concerned, the one indefinite, the other determined. He seemed to me to define the indefinite as being any general question ; such as, whether *Is eloquence desirable ? Are honours to be sought after ?* But the determined question is where the subject respects particular persons ; alleged facts, such as are examined in the forum, in the causes and dissensions of private citizens. To me, those appear to consist either in pleading at the bar, or debating in an assembly. For as to
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the third species, which was mentioned by Crassus, and which, as I have heard, is added by Aristotle, who threw the greatest light upon this subject, ^g though useful, yet it is hardly necessary. What ! interrupts Crassus, do you mean panegyric ? For I think that this is the third species which has been added.

CHAP. XI.

YOU are in the right, said Antony, and I am sensible it is a species that gave great pleasure both to me and every body present, when you declaimed in praise of ^h your mother Popilia, who, I think, was the first lady that received this honour in our state ; but all that we deliver are not capable of being reduced to the rules of art ; for you can embellish panegyric by the very principles from which all the rules of eloquence are borrowed ; nor
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^g *Though useful.*] The Latin has it, *etiam si opus sit*. Cicero in other passages takes *opus esse* in this sense. Vind. Ep. ad Fam. 1. 1. Ep. 1. *Legem curiatam consuli* *opus esse necesse non esse* ; and Ep. ad Att. L. 4. Ep. 6. *Si loquor de republica quod oportet, insanus ; si quod opus est, servus existimor.*

^h *Your mother Popilia.*] If Popilia was the first of the Roman ladies who was publicly praised, Plutarch, in the life of Camillus, was mistaken, who is said, long before Popilia, to have made a funeral oration in praise of the Roman matrons, because they had brought their ornaments to perform a vow to Apollo ; unless perhaps for so long a time none were celebrated after that decree of the senate ; which is believed by none. Rhodiginus is of the same opinion with Plutarch.

can you ever be at a loss for those maxims, which, though nobody teaches them, every body knows ; I mean the qualities in a man deserving of praise. They are comprehended in those principles which Crassus premised in that oration which, when he was censor, he pronounced against his colleague ; *that he could patiently endure to be excelled in those circumstances which are the gift of fortune ; but in those attainments that depend upon a man himself, he could not endure a superior.* The orator then who declaims in praise of another is to enumerate all the circumstances that are the gift of fortune ; such as birth, money, relations, friends, interest, health, beauty, strength, wit, and other properties, which are either personal or accidental. If the person commended possessed such endowments as these, you are to shew that he made the right use of them ; if he did not, that he bore the want like a man of wisdom ; if he lost them, that he lost them without the loss of self-possession. You are next to specify all thewise, the generous, the brave, the just, the great, the pious actions which he ever did, together with every instance in which he displayed a grateful or obliging temper. Any man who wants to praise another will easily perceive these, and such like circumstances. He who has occasion to censure, will notice the qualities that are opposite to these. Why, therefore, said Catulus, should you hesitate to admit this third species, because it is founded in the nature of things ? If it be more plain, sure it ought not, for that reason, to be excluded. Because, re-

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plies the other, I am unwilling that every trifling matter which falls to the province of an orator to discuss, should be circumscribed by specific and peculiar rules. For we must sometimes state matters of praise or blame in evidence, and that too with the greatest precision ; as I was obliged to do against ¹ Sextus Titius, a seditious, turbulent citizen. In giving this evidence ^k I laid open the whole conduct of my consulate, by which, for the interests of my country, I opposed him when he was tribune of the people ; and I exposed all that I thought he did to the prejudice of the state ; long was I detained, much did I hear, much did I answer. Are you then of opinion, when you are laying down rules of eloquence, that such precepts should be prescribed as relate to the manner of giving evidence ? No sure, says Catulus, that can never be necessary.

CHAP. XII.

But if, as it often happens, the instructions of men in high authority are to be explained in the senate,

¹ *Sextus Titius, a seditious, turbulent citizen.*] It is an unhappy circumstance for the memory of men, when they happen in their life time to be disagreeable to men of great parts, who are the only historians to record their actions. In such a case we cannot expect that they will be transmitted to posterity in those lights that are most favourable to their characters ; this Sextus Titius was a very great friend to the Agrarian law, and used sometimes to be impertinent to the senate on that head.

^k *I laid open the whole conduct of my consulate.*] This is a kind of apology for Cicero's own conduct, who never fails to bring into his orations the mention of his own political character.

senate, either from a general, or to a general, or to a prince, or to a people from the senate, because we must use a more correct style in speaking on occasions of this kind, is it for this reason to be regarded as a species of pleading, or to be furnished with peculiar precepts? No, by no means, replies Catulus; for a good speaker can never be at a loss in circumstances like these, though his talents may have been employed in causes of a different nature. At the same time, the subjects that require eloquent discussion, I mean those things which I allotted to the province of an orator, when a little before I was praising eloquence, are neither classed under a distinct division, nor have they any system of precepts peculiar to themselves; yet they are to be discussed with all the eloquence which their respective merits require; such as reprimanding, advising, comforting; in which nothing occurs that does not demand the highest powers of oratory; but the method of succeeding here is not to be acquired by artificial precepts. I am, says Catulus, directly of your opinion. Then give me leave to ask you, says Antony, what kind of style, and what talents are required in a historian? To write, replies Catulus, in the manner of the Greeks, would require the highest; but to write as a Roman, there is no need to be eloquent; all that is required is not to relate falsehood. Softly, says Antony, not so bad as that neither; the Greeks themselves at first wrote in the same manner with our Cato, Pictor, and Piso. For history then was nothing but an annual

annual register of important events, exhibited to the public. The high priest wrote down all the transactions of each year, from the foundation of the Roman state to the time of the high priest Publius Mucius; this he fairly engrossed, and set up the record at his own house, that the people might consult it for their information; and these at the time were called the *great annals*. Many imitated this mode of writing, who, without any embellishments, left behind them the naked recital of times, of men, places and actions. Thus our Cato, and Pictor, and Piso, were just such writers as Pherecydes, Hellanicus, Acusilas, with numerous others amongst the Greeks, who were unacquainted with the arts of embellishment, which but lately have been adopted in this country, and who, provided what they wrote was intelligible, thought brevity the principal ornament of historical compositions. Antipater, a man of the first rank, and a friend of Crassus, rose to somewhat higher excellence, and gave a more majestic expression to history; other writers were not embellishers, but relaters of facts.

CHAP. XIII.

WHAT you say, answered Catulus, is true; yet Antipater himself did not adorn his history in distinct and variegated colours; nor did he recommend what he wrote by a happy disposition of periods, nor a smooth, equable style. But as he was neither learned, nor had any great turn for

oratory, he gave it all the finish in his power; yet still, as you say, he was superior to those who went before him. It is no wonder, replies Antony, if history makes no figure in our language; for none of our countrymen studies eloquence with any other view than to shine at the bar; but the most eloquent among the Greeks, who retired from public pleadings, amongst their other renowned studies, applied themselves principally to the writing of history. For though we do not find that ¹ Herodotus, the first elegant writer of history, was ever conversant in pleadings; yet so great is his eloquence, that, so far as I am a judge of Greek compositions, he gives me great pleasure. After him, in my opinion, Thucydides is preferable to them all in eloquence of style; who so abounds with important facts, that he has almost as many fine sentiments as happy turns of language; at the same time there is such propriety, such conciseness in his style, that you are at a loss to say, whether the facts are embellished by his diction, or his diction by his sentiments. Yet we do not find, though he filled a public station, that he ever pleaded in their courts; and we are told, that he composed his works when he was removed from the republic; and, which was the fate of almost every great man at Athens, sentenced to banishment. Philistus of Syracuse succeeded him, who living in the

¹ *Herodotus, &c.*] I shall make no other remark upon the character that is here given of the Greek historians, than to observe that they are drawn with so much justice and taste, as to remain undisputed to this day.

the greatest familiarity with Dionysius the tyrant, spent his leisure in writing history; and, in my opinion, proposed Thucydides as the model of his style. Afterwards Theopompus and Ephorus, two men of great genius, bred in what we may call the noblest laboratory of eloquence, by the persuasion of their master Isocrates, applied to history; but they never were occupied in pleading.

CHAP. XIV.

At last the celebrated Xenophon, and Calisthenes, the attendant of Alexander, appeared from the school of philosophy; the first the disciple of Socrates, the other of Aristotle, and both were historians; the last almost in a style peculiarly oratorical. Xenophon indeed assumed a more flowing diction, and as he has not the rapidity of an orator, he may appear perhaps less vehement; but, in my opinion, he is far more delightful. Timæus lived later than these, but, so far as I can judge, he surpassed all his predecessors in learning, in richness of materials, and varieties of language, and was by no means unskilful in the artifices of composition. This historian had great talents as a speaker, but without any practice in business. When Antony had finished; what do you think, Catulus? says Cæsar; who will say now that Antony does not understand Greek? How many of their historians has he named; with what good sense, with what justness has he characterised them! Why, replies Catulus,

Catulus, while I am wondering at that, I can no longer wonder at what gave me much greater surprise before ; that a man, who is ignorant of this knowledge, should have such a commanding power of eloquence. Believe me, Catulus, said Antony, that in my leisure hours, when I use to read those, and some other writings, I am not then hunting for improvement in eloquence, but for amusement. What then ? I will plainly confess, that, when I walk in the sun, though I may have a different motive for walking, yet it unavoidably happens that I grow ruddy. In the same manner, when I read those books with attention at Miscnum, for I have no leisure at Rome, I perceive that my own style receives a glow from their charms. But lest you should think me deeper read than I really am, I assure you, I only understand those Greek writings which the authors wrote with a view to have them generally understood. But if, at any time, drawn in by a specious title-page, professing to treat of known and noted subjects, such as virtue, justice, pleasure, honesty, I happen to dip into your philosophical writings, I do not understand a word of them ; so hampered are they with close entangled subtilties. As to the poets, who speak, as it were, in another kind of language, with these I never meddle. I amuse myself, as I have said, with the writers who have transmitted to us their own exploits, or their own orations, and whose style is such as appears intelligible to those who, like me, are not the most learned. But to resume :

CHAP.

CHAP. XV.

Do you then perceive how far history comes within the province of an orator ? I am uncertain whether it ought not, from the flow and variety of diction which is requisite, to be his chief business ; yet I do not find that this has ever been distinctly treated of in the treatises of rhetoricians, as being plain and obvious : "for, is there a man ignorant that the first rule of history is that an *historian shall not dare to advance a falsehood* ; the next, *that there is no truth but what he shall dare to tell* ? That the writer should be actuated neither by favour, or by prejudice ?" These, I say, are fundamental principles universally known ; but the superstructure itself consists of facts and language. Matters of facts require a regard to chronology and geography ; and likewise, in great and memorable events, we first expect to hear of the motive ; secondly, of the execution ; and, lastly, of the event. The historian is required to give his own opinion, as to the motives : with regard to the execution, he is to declare what was done and said, and in what manner ; and when he comes to treat of the event, all the concurring circumstances, whether proceeding from chance, from wisdom, or from rashness, are to be laid open ; and not only the actions, but even the lives, and the personal character of every man, of celebrity and reputation, ought to be recorded. With respect to the language, the words ought to be well chosen, the diction

diction flowing and easy, free from the asperities of judicial, and the pointed abruptness of forensic disputations. You know that there are no rules laid down in the treatises of rhetoric, with regard to these numerous and important points. In the same profound silence are passed over many other qualities which belong to an orator, such as exhortations, consolations, precepts, admonitions; all which require to be handled with the greatest eloquence, but have no place in those arts that are generally taught. But the two kinds of eloquence assigned to an orator by most authors, and also by Crassus, open to us a vast and boundless field of disquisition. He remarked, that the first kind is where a cause is stated and defined, such as those which come before our courts of justice, or are matters of debate in the senate. He was not against panegyric being added to this kind. The other kind is what almost all writers mention, but none explain, where the subject is not limited by time or persons. When writers treat of this, to me it appears that they neither understand its nature or importance. For if it be the business of an orator to speak with ability upon every abstract subject that shall be proposed, he must speak upon the magnitude of the sun, the form of the earth, nor, after having undertaken this task, can he refuse to treat of the mathematical and musical sciences. In short, a man who makes it his profession to speak, not only in those disputes which are defined by times and persons, as all that come before the forum are, but upon all subjects, which in their own nature

nature are undetermined, will find that there is no subject exempted from his discussion.

CHAP. XVI.

BUT if we should be disposed to allot to the profession of an orator, those wide and unbounded grounds of disputation, good or evil; what is desirable, and what ought to be avoided; what is honest or disgraceful, profitable or unprofitable; what constitutes valour, justice, continence, prudence, magnanimity, piety, and friendship, honour, duty, and other virtues, together with the opposite vices: if, I say, we think an orator ought to speak on all these, and at the same time on political affairs, on the duties of a commander, on the conduct of war, on civil polity, on human institutions, let us engage in this likewise, but so as to confine ourselves within moderate limits. Indeed, my opinion is, that every thing falls within the profession of an orator, that affects the interests of his countrymen, the manners of mankind, whatever regards the habits of life, the conduct of government, civil society, love of the public, nature, morals. At least, though he is not obliged professedly to discuss, like a philosopher, these subjects, yet he ought to know how to interweave them dextrously while pleading at the bar; he ought to speak of these things as they did who founded laws, institutions, and states, with simplicity, with perspicuity, without long continued disputation, without barren controversies

troversies about words. That you may not here be in the least surprised at my not laying down any precepts upon so many and such important subjects, I thus explain myself: as in other arts, after the most difficult rules in each are laid down, the rest, which are either obvious or similar, are thought unnecessary to be expressed. For instance, in painting, a painter, who has once completely learned to draw the likeness of a man, can paint him of any shape or age, without being taught; and whoever can paint a lion or a bull, can never be at a loss to draw a great number of other creatures; and I am of opinion, there is no art in which rules can be laid down for all its operations; but whoever has entered into the nature of certain leading principles, can never be at a loss to compass the rest. In like manner, I think, that whoever is so far improved, either in the theory or in the practice of eloquence, as to control at will the passions of those who may hear him speak upon matters of government, upon his own private concerns, or on the affairs of his clients; such a person is no more to hesitate with regard to all the other kinds of speaking, than the famous Polycetus, when he was making his Hercules, could be at a loss how to express the lion's hide, or the hydra, though he had never received specific lessons on the subject.

CHAP. XVII.

CATULUS observes, you seem Antony very perspicuously to have laid down what a man who designs

signs to be an orator should learn, and what improvement he can derive, without particular application to every distinct branch, even from those principles which he is master of. For you have reduced him entirely to two kinds of causes. The others, which are too numerous to be classified, you refer to study and analogy. But take care that in these two kinds you include not the hydra and the hide, and leave the Hercules, with other great subjects, among those which you omit. For it appears as difficult to speak upon the general properties of things, as upon particular causes; and much more so to treat of the nature of the gods, than the altercations of mortals. By no means, my friend, replies Antony, and from experience, which carries much greater authority than learning, I will tell you the reason. To speak upon all other subjects is, believe me, a mere sport, to one who is no dunce, who does not want experience, nor ordinary knowledge and good-breeding. In pleadings at the bar there is a very difficult part to act; I know not but that it is by far the most difficult task which the human faculties have to perform. In this task the power of an orator is commonly, by the ill-judging, estimated from the event, and from the success with which his efforts are crowned; in which an armed adversary opposes him, whom he is both to attack and repel; in which very often the person who is to decide the affair either is a stranger or angry with him; perhaps a friend to his antagonist, and a foe to himself; when, at the same time, he is to be informed or undeceived; checked

ed or impelled ; and, by all the methods that good sense can suggest, reconciled to the occasion, by all the power of eloquence inclined to the cause, he is to espouse. When kindness is often to be turned into rancour, and rancour into kindness : the orator, as if he were directing an engine, is to employ it sometimes to excite severity, sometimes gentleness, sometimes to damp, and sometimes to delight. He is to make the most of the weight of all his sentiments, and the force of all his expressions ; his action ought to be suited to the subject ; full of energy, full of life, full of spirit, full of emotion, full of nature. In such a situation, if any one shall so far approach to perfection as, like another Phidias, to produce a finished specimen of his art, believe me he can never be at any loss to execute the mere drapery of eloquence.

CHAP. XVIII.

THE more admirable you have worked up these beauties, says Catulus, the greater is my desire to know, by what precepts this surprising faculty can be attained. I have no interested views in this request, but am actuated by mere curiosity. I beg to know what are the precepts which you prescribe. This proceeds from a most disinterested principle in me, because my age neither requires any such information, and I always followed another method of speaking ; for I never extorted, by the force of eloquence, a decision from the judges, but rather received it, after their minds

were affected with all the gentleness of which they were susceptible. Nor have I occasion for any Greek teacher, to chaunt forth vulgar rules, when, at the same time, he never saw a forum, or a court of justice ; like what is told of Phormio the Peripatetic, when Hannibal, after being driven from Carthage, came during his exile to Antiochus at Ephesus, and because this Peripatetic was universally celebrated, Hannibal was invited by the townsmen, if he thought fit, to come and hear him ; and having expressed no unwillingness, as the story goes, the philosopher spoke for some hours with the utmost fluency upon the duties of a general, and the whole system of military affairs. The rest of the audience, who seemed quite charmed, asked Hannibal what he thought of the orator. The Carthaginian, who did not perhaps speak good Greek, though he spoke good sense, replied, that many old dotards he had seen, but never a greater dotard than Phormio. And indeed he was in the right ; for what could betray more pedantry or garrulity, than that a Greek, who had never faced an enemy, never seen a camp, who, in short, had never risen to any office of distinction, should give lectures upon military subjects before Hannibal, who had for so many years disputed the empire of the world with the Romans ? All those teachers who lecture upon the art of speaking appear, in my eyes, to do the same, for they teach others what they have never themselves experimentally learnt. They, indeed, are perhaps the more excusable, as they do

not attempt to instruct you, as he did Hannibal, but boys and striplings.

CHAP. XIX.

BUT indeed, my friend, you are mistaken, replied Antony; since I myself have encountered a great many Phormios in my time. Shew me one of those Greeks, who thinks that any of our countrymen have common sense? Yet I own they do not much disturb me; I can very easily bear their impertinence. For they either advance something that I am not at all displeased with, or so affect me by their manner, that I the less regret my own ignorance: but I dismiss them, though not so rudely as Hannibal did the philosopher of Ephesus: for this reason, perhaps, I am plagued with them the oftener; yet I cannot help saying, that, so far as I can judge, their profession is extremely ridiculous. For they divide the whole of it into two parts; into the controversy that arises upon the cause, and that arising from the question. What they call a cause is the subject of discussion and controversy; and by *question*, they mean a matter of doubt not ascertained. With regard to the cause, they lay down precepts; with regard to the other part, they maintain a surprising silence. They next delineate, as it were, five offices of eloquence; *viz.* inventing what you are to say; the arrangement of what you have invented; the embellishments of style; next, the getting it by heart;

heart; and last of all comes the action and the delivery: surely there is nothing very obscure in this. For does not one naturally see that no one can speak, unless he knows to what purpose, in what words, and in what order, and unless his memory serve him? Not that I find fault with all these distributions; I am only saying that they are self-evident: I mean all these four, five, six, or (as they are divided by different professors) even seven divisions, into which these teachers branch out every speech. For they command us to begin in such a manner, as to render the audience favourable, and well-disposed to hear what we say: in the next place, so to represent the fact, as that the detail may be plausible, conspicuous and concise: in the next place, to divide, or to state the cause, to strengthen our own positions, by probable arguments; and then to confute the reasonings of the adversary. Others inculcate that to each speech should be subjoined a peroration, while others again enjoin us, before we conclude, to make a digression, either for embellishing or enforcing the subject; then to conclude with a summary recapitulation. Even these I do not find fault with, for they are conveniently distributed, though not adapted in the best manner for the purposes of instruction, which is the most essential point to those who want to be instructed in the truth. As to the maxims which they lay down, with regard to exordiums and narratives; these, according to them, are to obtain alike in all speeches. For it is much easier for me to prepossess a judge in

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the course of the speech, than before he has yet heard any part of what I am to say. It is more easy to enforce and convince him, when I actually demonstrate and explain the matter, than when I only *promise* him demonstration. But with regard to his being attentive, that is effected, not by my first declaration, but by exciting frequent emotions in the judges in the course of the pleading. It is now that we come to the detail, which, as they rightly recommend, should be plausible, conspicuous, and concise. If they think that this ought to be more peculiar to a narrative, than to any other part of a speech, they labour under a great mistake. And this mistake lies in their thinking that this is a species of artifice, not unlike one of those that Crassus yesterday said might be made out of the civil law, where the principal heads of the subject are first to be laid down. In this, you are reprehensible if any one head is omitted; then the subdivisions of each of these heads; in which, if there be any thing either deficient or superfluous, it merits reprehension. Next the definitions of terms, and here nothing should have place that expresses either too little or too much.

CHAP. XX.

YET, though by this means they can become more learned in the civil law, or even in trifling or indifferent affairs; I am by no means of opinion

nion that they can become so in an affair of such magnitude and extent as eloquence. But if any think otherwise, let them go to those who profess to teach such things; let them there make themselves masters of all that has been said upon this subject in the most explicit, finished manner; for there are a great many books upon these points, neither obscure nor hard to come at. But it behoves them to reflect whether they take up arms to fight or to flourish; for there is a wide difference between a parade and a real engagement; there is a wide difference between what is required in a fencing school and a field of battle. At the same time even the mock practice of arms is useful both to the fencer and the soldier; but success in fighting is obtained by the intrepidity, the presence, the quickness, and the vigilance of the mind, provided these are assisted by the cooperation of art. In forming an orator, therefore, I must first know how far his abilities extend; he must have a smattering of learning; he must have heard a little; he must have read a little; he is not the worse if he has even attended to those precepts. I will try what becomes him best, what lengths he can go with regard to his voice, with his strength, his breath, and his tongue. If I should understand that he is likely to rival the most finished orators, I will not only advise him to persevere, but, if I think him a man of probity, I will entreat his perseverance. So great is the lustre which I think a man, in whom eloquence and virtue unite, reflects on a whole community. But if I think, that, after he has done his

best, he can never rise to mediocrity in eloquence, then I will leave him to himself without giving him trouble; but if he has any difficulty or untowardness in his manner and mind, which no diligence can remove, I will advise him to give over, and turn his views to another profession. For neither the person who can arrive at excellence is by any means to be left without our directions, nor is he who attains mediocrity to be discouraged; the first of which character seems somewhat to resemble the divine nature; the other, in that it neither rises to excellence, nor sinks to contempt, is the lot of humanity. As to the third character, which is that of one who, in spite of reason and propriety, bawls as loud as he can; it is that of a person, who, as you, Catulus, observed of a certain declaimer, used a domestic crier, to summon together as many witnesses as he can of his own folly. Let us, therefore, speak of such a man as merits our encouragement and assistance, and in such a manner, (because we can communicate nothing to him that is better) as may at least teach him what practice has taught us; that by our guidance he may arrive to that point which we have without any guidance reached.

CHAP. XXI.

AND, that we may begin with our friend in this company; the first time I heard Sulpicius, was when he was a very young man, and in a very trifling

trifling cause; his voice, his figure, his deportment, and every thing else about him was well fitted for the business now under our examination; but his expression was quick and rapid; this was owing to his genius; his words glowing and a little too luxuriant; this to his age. I did not dislike him. I love luxuriance in youth; for, as in vines, it is much easier to prune the luxuriant branches than to rear up new ones, from a stock that has little vigour. For this reason I would still have somewhat in youth that might be lopped away. For when maturity comes too soon, the vegetating sap will quickly decay. I instantly saw a genius; I lost no time; I advised him to make the forum his school, and his master — whom he pleased; if I might be heard, he should choose Crassus. He instantly caught at this; he assured me he would follow my advice; and, out of complaisance, he even added, that I should likewise be his master. A year was scarcely over after this interview, when he impeached C. Norbanus, and I defended him. You cannot believe what a difference there seemed to be betwixt him *then*, and what he was twelve months before. Nature herself had absolutely directed him into the grand and noble manner of Crassus; but he could never have made sufficient advances in it by her assistance alone, had he not, by diligence and imitation, accustomed himself to speak so as to seem to have fixed his heart and soul upon Crassus as his model.

CHAP. XXII.

THE chief precept then in my system of instruction is to point out a right object of imitation, and in such a manner as to make the distinguishing properties of that object our main study. To this I add the practice of imitation, by which one becomes the very person whom he chuses as a pattern, and in the resemblance hits his true character, not in such a manner as I have known many imitators, who have in their imitations copied what was most easy, or those properties that were striking even to a defect. Nothing is more easy than to ape a man in his dress, his way of standing or walking. Even if there be any thing reprehensibly eccentric in a speaker, to copy his eccentricity is no difficult task. Like that Fusius, who, having lost his voice, and now makes such a frantic figure in the state, could never reach the nervous eloquence of Caius Fimbria, but well resembles him in the convulsions of his lips, and the broadness of his pronunciation. But he did not know how to chuse a proper pattern, and he imitated only the defects of that which he had chosen. But the man who would succeed in this, must first be extremely cautious in chusing his model; then, when he is fixed upon that, he ought to apply himself earnestly to study its most distinguished excellencies. What do you think is the reason why every age produces almost peculiar modes of speaking? The reason of this, to acknowledge the

the truth, cannot so easily be ascertained from our orators, who have left but very few writings by which we can form a judgment, as from the Greeks, whose works characterise the manner and style of oratory peculiar to every age. The oldest amongst them, I mean of those whose writings have come to our hands, are Pericles and Alcibiades, with their contemporary Thucydides; these were delicate, pointed, concise, and abounding more with sentiments than with words. It could not be by chance that they were all of the same character, unless all of them had proposed the same pattern. These were succeeded by Critias, Lysias, Theramenes; the writings of Lysias are many; of Critias none remains; we have only heard of the productions of Theramenes. All of them, even in that age, were tinctured with the humour of Pericles, but their style was somewhat more diffusive. Then Isocrates arose, from whose school, as from the Trojan horse, heroes only in eloquence came forth, but of these some chose to distinguish themselves by the pageantry of composition, and others by the din of forensic oratory.

CHAP. XXIII.

THEREFORE the Theopompi, the Ephori, the Philisti, the Naucratae, and many others, were very unlike one another in genius; but in their manner they resemble both one another and their master: and they who applied to pleading, as Demosthenes, Hyperides, Lyeurgus, Æschines, Dinarchus,

Dinarchus, though they were not equal among themselves, yet they all followed the same method of pleading; as long as the imitation of their manner continued, so long did that kind of pleading flourish. When these models disappeared, the remembrance of them insensibly wore out and vanished, and other more soft and loose methods of speaking prevailed. Then Demochares, who was said to be nephew by the sister to Demosthenes, appeared: next the Phalerean Demetrius, who, in my opinion, was the most finished of them all, and others like them succeeded. Were we disposed to trace this detail down to the present age, we should find that at this day all Asia imitates the famous Menecles of Alabanda, and his brother Hierocles, whom I have heard: thus there has been still some model, by which the rest have generally endeavoured to form themselves. Whoever, therefore, is desirous to copy after some original, must have recourse to laborious and frequent practice, especially in writing. Would our friend Sulpicius here follow this advice, his diction would be much more concise and polished. Whereas, now, as country people used to say of grass, the richness of the soil produces a luxuriance, which ought to have been pruned by habits of composition. You are in the right, said Sulpicius, here, and I am obliged to you for your advice; but indeed, Antony, I do not believe that *you* have written much. Do not I say, answers the other, that I inculcate on others qualities of which I am myself destitute? But I am thought even
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not to keep any regular accounts; yet my method of proceeding in that, you may judge of from the œconomy of my estate; and from the progress I have made in speaking, however inconsiderable it may be, you may judge of my practice in eloquence. But after all, we have seen many propose no model at all; and yet by the force of genius, without imitation, have attained to all they desired: this observation is true with respect to you, Cæsar, and Cotta: the one possesses an elegance and vivacity not common among our orators; and the other has attained a very pointed, delicate manner of speaking. Nor does Curio, who is much of your age, though his father, in my opinion, was one of the most eloquent speakers in his time, seem much to have imitated any model; yet in dignity, beauty, and copiousness of language, he exhibits a manner and style of speaking, an originality deserving of imitation. I came into this way of thinking chiefly in that cause which he pleaded against me before the centumviri, for the brothers the Cossi; where he was defective in nothing that constitutes a copious, and even an experienced speaker.

CHAP. XXIV.

BUT that we may at last introduce this personage we are forming to the bar, and a bar too of the greatest business, practice, and litigation; let me give it him as a principal rule, that he make himself completely and thoroughly master of the
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causes he is to manage. Somebody may perhaps laugh at this rule; for I own it does not proceed so much from penetration as necessity; and gives you a notion, not so much of an able instructor, as of a monitor who is not quite uninformed. This is a rule that is never enjoined in schools; for the pleadings that are set to boys are all of them quite easy. Such as, by the law a stranger is forbid to mount the wall; he has mounted it; he has repulsed the enemy; he is accused. There is nothing at all in being master of such a cause: therefore they are in the right when they lay down no rules as to your making yourself master of this cause; for this is generally the form of all pleadings in the school. But in the forum, deeds, evidences, bargains, agreements, conventions, alliances, relations, decrees, answers; in a word, the whole life of those who are concerned in a cause must be thoroughly investigated. It is by neglecting those points that we see most causes lost, especially private ones, which are often of the most intricate nature. Thus some who wish that the world should think they have great business, by fluttering along the forum, and seeming to pass from cause to cause, speak in causes of which they are ignorant. But by this conduct they incur great blame; either of negligence, if they but undertake to act; or of treachery if they profess to succeed. They incur another censure, which is more heinous than is commonly supposed, namely, that every man, who speaks on a subject that

he does not understand, must speak in a manner wretchedly defective. Thus while they seem to condemn the reproach of laziness, which indeed is the most inexcusable, they incur what they want much more to avoid, I mean that of dulness. For my part, I always took great pains to be instructed by my client himself in the nature of his cause; and to give him the greater freedom in speaking, I prevented others from being present; I likewise plead on the contrary side, to make him disclose his thoughts with regard to his own case. Then, after he is gone, with the utmost impartiality, I assume three characters, my own, that of my antagonist, and that of the judge. Every topic that I think makes for me, rather than against me, I resolve to enlarge upon; whatever may be of prejudice, rather than of advantage, that I discard and avoid. Thus I at one time think what I am to say, and at another, I only deliver my premeditated thoughts. These two exercises most people, relying upon their own abilities, perform at the same time. But they would, no doubt, improve their pleading, if they should think fit to appropriate one part of their time for inventing, and another for delivering what they have to say. After I am completely master of the cause in all its bearings, I immediately reflect on the doubtful points that arise in it. For there is no disputable subject amongst mankind, whether it be of a criminal nature, as an overt act; of a controversial, as property; deliberative, as war; personal, as panegyric; or disputable, as the manner of

of living; in which the point of enquiry does not lie with regard to what has been done, what may be done, what is to be done, what is its quality, or what its denomination.

CHAP. XXV.

BUT our causes, I mean such as are criminal, are generally defended by denying the fact. As in cases of extortion, which are of the most important nature, almost every article must be denied. In cases of corruption there is seldom such a concession made, as that you are able to distinguish generosity and liberality from bribery and corruption. In cases of murder, witchcraft and embezzlements, you must absolutely stand upon the negative. Therefore the chief object in all judicial proceedings, is the controversy arising from what is past. In deliberative, upon what is to come, seldom upon what is present or past. Sometimes too the point of enquiry is not whether a thing is or is not fact, but of what nature it is. As when, in my hearing, C. Carbo, the consul, defended the cause of L. Opimius before the people, he did not deny one circumstance relating to the death of C. Gracchus; but maintained that it was just, and for the good of the public to put him to death. In like manner P. Africanus, when the same Carbo, tribune of the people, and supporting the republic with different views, interrogated him respecting the death of Gracchus, answered, *That in his opinion he was justly*

justly put to death. Now every thing is defended on the principle of justice, when its nature proves it to be either expedient, or lawful, or necessary: or when it appears to have been done through indiscretion, or by accident. We are now to enquire under what denomination a fact is to be classed. This was the grand point in dispute betwixt Sulpicius and myself in the affair of Norbanus. For though I admitted of most of the articles urged against him, yet I denied that they constituted treason: and upon that one denomination in the Apuleian law the merits of that debate turned. Some likewise in this kind of pleading enjoin, that the term which comprehends the charge should be clearly and briefly defined. But to me this generally appeared childish. For it is quite a different thing, when verbal definitions are laid down by learned men on those subjects that relate to their respective arts; as when it is asked, what is an art? What is law? What is a state? In this we are instructed, by enlightened reason, that the force of the thing which we want to define should be so expressed as that the definition should neither be defective nor superfluous. In the cause I mentioned this was neither done by Sulpicius, nor attempted by me; for with all the abilities, and with all the eloquence in our power, we enlarged upon the acts which constituted treason, because a definition is rendered of no avail by adding to, or by taking from it a single word, and is then of a nature to savour of sophistry and sheer artifice. In the next place, it never thoroughly

thoroughly impresses the understanding and feelings of the judge ; for its effects are lost before they are perceived.

CHAP. XXVI.

BUT as to that kind of pleading in which the dispute turns on the nature of the fact, a doubt often arises as to the meaning of the letter, and this can only happen in words that are ambiguous ; for when there is a difference between the letter and the spirit of an act, that very difference begets an ambiguity which can never be explained, but by supplying what is deficient. When this is added, it is pleaded that the meaning of the act was plain ; and if any ambiguity arises from contradictory expressions, it is not then a new kind of pleading that is produced, but the difficulties of such a cause as we have just now mentioned are doubled. It is then never to be resolved ; or if it be resolved, it must be in such a manner, as that, by supplying the words omitted, the sense of the letter of the act may be rendered complete. Thus it happens, that causes only of one kind in which the difficulty arises from the ambiguity of the letter, can exist, if the letter is any way really ambiguous. But there are many kinds of ambiguities : of which logicians appear to me the best judges : but as to those of our profession, they appear not to know these ambiguities, though they ought to comprehend them as well as the logicians. Upon the whole,
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the most common mistake occurs in speech or in writing, when it is occasioned by an ambiguity arising from the omission of one or more words. Again, they are in the wrong who distinguish betwixt those causes that turn upon the meaning of the letter, and those where the dispute lies respecting the quality of the fact ; for the enquiry never respects so much the nature of the fact itself as the letter of an act, which is entirely distinct from the plea upon the fact ; therefore those pleadings that can fall within the sphere of an orator's discussion are in kind no more than three ; first, that which may be done, that which has been done, and that which is to be done ; the next is the specific quality, and the last, the denomination under which it comes. For as to the division which some Greek rhetoricians have added, whether or not an act was lawfully done, this enquiry is entirely comprehended under the specific quality of the fact.

CHAP. XXVII.

BUT that I may return to what I proposed. Having heard and comprehended the nature of the cause, I begin to enter into its merits ; my object then is to find out the principal point, on which I am to lay the stress of that part of my pleading, which immediately regards the question and the trial. In the next place, I attentively consider two things ; the first, how I may recommend myself and my client ; the next, how I
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116 may best prepossess the audience. Thus the whole business of speaking consists in convincing them of three things ; in proving the side we take to be right, in conciliating the audience, and in exciting in them every emotion which the nature of the cause requires. With regard to proof, two things are presented to the orator : first, those points which are not invented by him, but arise from the nature of the subject ; such as deeds, evidences, bargains, conventions, trials, laws, acts of the senate, precedents, decrees, opinions, and every such like point which is not furnished by the orator, but suggested to him by the cause and his client : the other point is that which entirely consists in disputation, and the disposition of the orator's pleading. In the first of these divisions he is to consider how to make the best of the arguments that are ready to his hand ; but here he is both to manage his arguments and to invent them. Here likewise the teachers, after they have divided the cause into a great many heads, supply each of these heads with stores of arguments. This is more fitted to furnish young students with ready-formed arguments as soon as a cause is stated ; yet it betrays a slowness of parts to creep after the stream, and not ascend to the fountain head ; while men of my age and practice want to derive it from the fountain head, and discern the source from whence every rivulet flows. And in the first place, the nature of those proofs that are furnished to an orator ought to be thoroughly digested, for our future practice, upon all like occasions. For we either use to plead distinctly

tinctly upon a general question, when we speak for or against deeds, for or against evidences, for or against trials, and other affairs of the same nature ; or we plead determinately upon particular junctures, persons, and motives : all these are points (I now address myself, Sulpicius, to you and Cotta) we ought to have in readiness, and digested with the most mature reflection. For it would now take me up too much time to point out what method is most proper for confirming or invalidating the strength of evidences, deeds, or depositions. All these require little capacity, but great practice : it is true they require so much of the art and rules of eloquence, as that they may come recommended by certain ornaments of speech. At the same time those properties which are of a different nature, and are the pure effect of the orator's art, are not very difficult to invent, but require to be laid down with perspicuity and elegance. These then are the two points chiefly to be regarded by us in pleading : first, WHAT, secondly, HOW we are to speak. The first, which appears, as it were, to inspire the whole force of eloquence, does indeed require art, but a very moderate share of address to manage it. It is in the other that the divine power and energy of an orator is to be perceived ; I mean the delivery of his sentiments in a language graceful, fluent, and commanding.

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CHAP.

CHAP. XXVIII.

As you thought me qualified, I shall not decline, though perhaps in a manner not quite so polite or finished, to speak of the former of these points; I mean by what artifices a speech is marked with these three qualities of credibility, which consist in conciliating, informing, and moving the audience; and how well I succeed, you yourselves shall judge: *These are indeed three in number*, but in what manner they are to be illustrated, there is one in company who can instruct us all; the man who first introduced it to practice, to whom alone it owes its highest improvement, and noblest effects. For I think, Catulus, (and what I speak can never be taken for flattery) that there has been no orator of eminence, either Greek or Roman, in our days, whom I have not frequently heard with great attention. If therefore I can produce any effect, as I have some reason to believe I can, from the attention given me by men of your understanding, it proceeds from my fixing thoroughly in my mind every circumstance that was advanced by those orators. And here, without presuming to say any thing of myself, or how far I am a judge, after hearing all these speakers, I hesitate not to declare it as my decided opinion, that not one amongst them all ever possessed the powers of eloquence in so great a variety, or to so great a degree, as Crassus does. With your concurrence, therefore, I think it no unfair portion of the burden, if I nurse
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and educate the orator, whom we have feigned, and then deliver him to Crassus to be clothed and decorated. Do you rather, Antony, says Crassus, go on as you proposed; for it looks neither natural nor creditable in a father not to clothe and adorn the child which himself has begotten and educated; especially as you cannot deny that you are wealthy. For what gracefulness, what strength, what spirit, what dignity, can be wanting in that orator, who, at the conclusion of his speech, boldly produced a consular, who was upon his trial, loosened his garments, and shewed to the judges the scars that marked the body of the aged general? An orator, who, while Sulpicius here was the impeacher, when he defended a seditious and furious Roman, was at no loss how to make sedition itself look lovely, and to prove, in the most plausible language, that the people had often been seditious upon justifiable grounds, and that no man can answer for them? And that many seditions had happened for the good of the commonwealth; as when the kings were driven out, and the tribunicial power appointed. That this sedition of Norbanus, which arose from the concern of the people, and their hatred of Cæpio, who had lost an army, could neither be suppressed or deemed illegal. Could a topic so tender, so unprecedented, so slippery, and so new as this, be handled without an address and powers of eloquence almost incredible? What shall I say of the pity you raised for Cn. Manlius? What of that in behalf of Quintus Rex? What of numerous other in-
stances?

stances? wherein you did not distinguish yourself by that inimitable quickness universally allowed to belong to you, but by those properties which you now delegate to me, and in which you were ever eminent and unrivalled.

CHAP. XXIX.

FOR my part, says Catulus, there is one thing that used greatly to surprise me with regard to you two, which is, that though you differ from one another in your manner of speaking, yet both of you speak so as if nothing were wanting in you that can be possessed from nature, or acquired by learning. For this reason, Crassus, you shall neither deprive us of your enchanting manner, in explaining every thing that may have been overlooked by Antony; nor, Antony, if you have overlooked any thing, shall we attribute it to your want of abilities, but to your desire of hearing it explained by Crassus. Then, says Crassus, do you Antony omit such points as are unnecessary to inform the present company respecting them; I mean from what grounds the materials to be stated in a cause are to be derived. For though you can speak on those in a new and striking light, yet in their own nature they are easy, and the rules laid down with regard to them are common; but display to us those qualities that you so often exert, and with powers always divine. With all my heart, replied Antony, and to induce you the more easily to comply with

with my requests, I will refuse none of yours. My whole eloquence, and that character which Crassus just now so highly extolled, consists of three rules, as I have already observed; the first, with regard to conciliating, the second to informing, and the last to moving the judges. The first requires gentleness, the second pointedness, and the last energy. For it is necessary that the judge, while we have a cause pending, should either be disposed by his own bias, or urged by the strength of our reasoning, or by the emotions of compassion, to favour us. But since that part which comprehends the representation and defence of the facts themselves seems to contain, as you may call it, the learning of this kind, let us first say a few words upon that head. For the observations I have made from practice, and imprinted upon my memory, are but few.

CHAP. XXX.

AND here, L. Crassus, I readily agree with your wise advice, that we should omit all the pleadings upon those special causes which masters use to prescribe to their scholars. Let us however disclose those sources from which all argumentation is drawn, and adapted to every speech and every cause. For as when we have occasion to write a word we are not at a loss to find out how many letters that word is composed of; so when we plead in a cause, we have no occasion to ruminate upon the distinct arguments that are to sup-

port it; for certain common-place ideas immediately suggest themselves in the same manner as letters do in spelling a word. But
 131 these obvious maxims are useful only to an orator who knows business either by experience, which is the consequence of age, or from hearing and reflecting, which by means of study and application supplies the place of experience. For bring me the most learned man alive; to learning let him join a strong and a penetrating head; and to that, a readiness of expression; yet, if he is a stranger to the practice of the state, the precedents, the maxims, the manners and inclinations of his countrymen, those common-place topics that furnish arguments will very little avail him. I have need of a genius that, like a piece of ground, ploughed, fallowed, and harrowed, to make the crop the better and larger, has received a similar cultivation: and the cultivation of genius consists in practice, hearing, reading, and writing. And in the first place, let an orator discern the nature of the cause, which is always self-evident; let him enquire if there are any facts, of what quality they are, and under what denomination they come? When he is quite master of this, his own good sense, without the guidance of these teachers, will suggest immediately where the stress of the cause lies; I mean, the point which if cleared up must end the dispute; and then, what is the point to be decided, which those teachers instruct us we are to find out in this manner? Opimius has slain Gracchus. Where does the stress of this cause lie? Why,
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in that he did it to serve his country, as he called the people to arms by an order of the senate; without this there is no ground of dispute. But Decius will tell you, that even that was unjustifiable if it was a proceeding repugnant to the laws of his country. Why then the dispute will turn upon this; whether the overt-act could be defended, when committed by virtue of a decree from the senate, in order to save the state? These consequences are all plain and obvious to common sense; but we may still be at a loss for the arguments that ought to be advanced both by the accuser, and the person accused, upon that point which is decisive in the affair.

CHAP. XXXI.

AND here we may perceive the capital mistake of those teachers to whom we send our children, not that it immediately relates to speaking, but that you may see the true character of those men who think themselves learned. For in dividing the methods of speaking they lay down two kinds of causes; the one, in which, according to them, the proposition is general, without relation to particular persons and times; the other is confined to certain persons and times; and this, without knowing that all disputes depend on the strength and nature of your reasoning upon the general proposition. In the cause I have just now mentioned, the identity of the persons of Opimius and Decius are quite out of the
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the question with an orator. For the proposition is indefinite, and of a general nature; whether a man is to be punished for killing a citizen by an order of the senate for the preservation of the state, though the overt-act is not warranted by the laws? In short, there is no cause in which the point to be tried involves the persons of those concerned alone; and not an universal proposition. But in those very causes in which the fact is litigated, such as the question, *Whether Decius took money unlawfully*, the arguments both of the accuser and the accused must depend on reasonings of a general nature. Whatever is urged against the spendthrift respecting his luxury; against the covetous concerning his avarice; against the seditious about their disaffection and disloyalty; and against many respecting the subordination of witnesses; with all that can be advanced in favour of those who are accused of these several crimes, must all necessarily turn upon general reasonings and universal propositions, and not be confined to particular times and persons. In the eyes of a man who does not so quickly comprehend the properties of things, the points which come under consideration, upon the trial of a fact, may appear too complicated; but we are to consider that there is a much greater variety of persons, than there are of defences, or general topics.

CHAP.

CHAP. XXXII.

As to the disputes upon the nature of a fact, after the commission is admitted; if you are to form your ideas from the persons accused, the dispute must be endless and obscure; if upon the case, it will be short and perspicuous. For if we suppose, in the case of Mancinus, that the main consideration turns upon that individual, you will have a new pleading every time that a man who is delivered up by the presiding herald is not received by the enemy. But if the merits of the cause turn upon this general proposition, *Whether a person in the circumstances of Mancinus has, or has not, a right to the privilege of the state*, the orator then, neither in speaking nor reasoning, is to have any regard to the individual concerned. Farther, if any personal considerations, either of merit or demerit, shall enter into a cause, though they are indeed foreign to the enquiry, yet the whole pleading upon them must necessarily be drawn from propositions that are universal in their nature. I do not maintain this with any view of reflecting upon men of learning; yet surely, whoever, in discoursing upon a general topic, shall circumscribe their pleadings to persons and times, are deserving of censure. For admitting these considerations of persons and times, yet a man ought still to be sensible that causes are not tried upon these, but upon the merits of a general proposition. But I have nothing to do with this, for we ought to have

have no difference with such persons: It is enough if we understand, that, with all the leisure they possess, they have never yet been able to distinguish the nature of causes, or explain them with tolerable accuracy. But, as I said before, I have nothing to do with this. The other point regards me, and much more, my friend Cotta, you, and Sulpicius. In the manner that their rules are now laid down, the multitude of causes is really formidable, for they are infinite, if the merits of each rests on particular persons; then so many persons, so many causes. But if they are reduced to general propositions, these are so moderate and few, that all industrious, attentive, and reflecting orators must needs digest them in their minds, and retain them in their memories. Unless you may be of opinion that L. Crassus studied the cause of M. Curius, entirely with a view to personal considerations, and from these considerations deduced a great many arguments, why, though no child was born to the testator, yet that Curius ought to be the heir of Coponius. The name of Coponius or Curius did not affect the competence of the proof, or the force and nature of the cause. All the question lay in the general proposition, upon the fact and the circumstances, and not upon the time or names: since the words of the will were,

IF A SON SHALL BE BORN TO ME, AND HE SHALL DIE BEFORE HE IS OF AGE, &c. THEN LET SUCH A MAN BE MY HEIR: if a son was not born, then the question lay, whether the per-

son who was appointed heir upon the demise of the son, could claim the inheritance.

CHAP. XXXIII.

A QUESTION built upon unchangeable equity and of a general nature requires for support not the names of persons, but skill in speaking, and clearness of proof. In this our lawyers likewise impede us, and deter us from learning. For I perceive in the writings of Cato and Brutus, that generally the names of men and women, who consulted them upon any point of law, are mentioned, with a view, I suppose, to make us believe that some matter of deliberation and doubt arose, not from the state of the case, but from personal considerations. That, as individuals are innumerable, we should, from this circumstance, lose, with the hopes, all inclination to learn the law. But Crassus will some time or other make this easy to us, and digest it under its several heads. For you must know, Catulus, he yesterday promised, that he would reduce into certain heads, and easily bring into a system, the civil law, which is now so unconnected and dissipated. Why really, says Catulus, this is no difficult matter for Crassus to effect, who has learned as much law as is possible to be learned, and who has supplied even the defects of his teachers; so that he can describe with accuracy, or illustrate with elegance, every point of the civil law. Let Crassus, therefore, teach us these points,

points, says Antony, when he is retired from the bustle of the forum, and is master of himself, and what he thinks his retirement. Though I have, says Catulus, often heard Crassus declare, that he was determined to retire altogether from the business of the forum; but, as I used to say to him, he will never indulge himself in this; because he will never suffer the worthy of his own country to implore his assistance in vain; nor indeed will his country admit of it with patience; for that time which shall deprive her of the eloquence of Crassus, will take away her chief ornament. Indeed, replies Antony, if what Catulus says be true, you and I, Crassus, must even tug at the same oar, and abandon that dull lethargic wisdom to those who enjoy leisure, the Scævolaë, and other happy mortals. Proceed Antony, said Crassus with a gentle smile, in what you have begun; yet, that wisdom which you pronounce lethargic will restore me to freedom, as soon as I shall fly to it for protection.

CHAP. XXXIV.

ANTONY continued: Well then, said he, we have concluded the point which I set out with, since we agree that all matters of debate turn not upon individual persons, which are innumerable, nor on times, which are indefinite, but on the circumstances and nature of the case; all which are not only definite, but even few; and farther they who want to speak should comprehend

hend the subject upon which they are to speak, whatever it may be in kind, with all its different descriptions, instructions, and ornaments; so far, I mean, as it relates to facts and sentiments. The force of these will beget expression, and expression too, which, in my opinion, is sufficiently elegant, if it seems naturally to arise from the subject. And if truth is your sole aim, as I think it ought to be, for I never indulge in the liberty of affirming any thing but what I really think to be true, we ought to carry along with us into the forum this general knowledge, as we would a necessary instrument, of causes and generic propositions; nor ought we to poke into common-place topics for arguments in every cause that is laid before us; for every man who considers them with but a moderate share of study and practice, can make the best of them. And yet his thoughts ought always to turn upon those general and those common topics, which I have often mentioned, and from which he can derive every thing that is to be said in any pleading. This, call it art, observation, or practice, consists in the knowledge of those grounds, within which you are to trace your game. After you have secured in your mind the whole of this field, provided you know how to take advantage of circumstances, nothing will escape you, and every thing that is material to the question will of course or incidentally fall in your way.

CHAP.

CHAP. XXXV.

AND thus three things are requisite to invention in speaking: acuteness, method, which we may call art, and, lastly, application. I cannot but ascribe the first place to genius; though indeed the natural faculties, when feeble, are invigorated by application. Diligence has great influence in all cases, but in pleading the greatest; it is to be the principal object of our care and assiduity, and with its assistance there is nothing but we may surmount. It is by application, as, I said at first, we can make ourselves masters of a cause; it is by this that we give such attention to our antagonist, as to lay hold, not only of his sentiments, but even of his words. In short, it is owing to application that we can profit even by his very look, which is generally the index of the mind. But good sense must direct us to be so cautious, as to afford no advantage by this to the adversary. Next, it is owing to application, that our mind can dart into those fields which I shall soon open, so as to enter thoroughly into the merits of the cause, and thus to have in readiness that care and attention which are necessary to its support. But to apply memory, utterance, and strength, as it were, to illuminate all these matters, is the great object of diligence. There is indeed some small distance, in which we may place art, between memory and application. Art only points out the ground to be investigated, the place where the end you are in quest of lies:

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all the rest consists in care, attention, reflection, vigilance, assiduity, and industry. All these may be comprised in the term which I have often mentioned, and that is application; it is in this single virtue that all the other virtues consist; for we perceive that philosophers are at no loss for copiousness of expression; yet I think (but you, Catulus, will speak better to that) they lay down no rules for speaking, though at the same time they decline not, for this reason, to speak with fulness and copiousness upon every subject that is proposed.

CHAP. XXXVI.

IT is true, replies Catulus, as you, Antony, observe, philosophers commonly lay down no rules for speaking, and yet they are never at a loss to speak upon every subject that is proposed: but Aristotle, who is my favourite, has laid down certain common topics, in which may be found the matter which belongs to every question, not only in oratorical, but philosophical disquisitions. Your discourse for some time, Antony, did not at all disagree with that philosopher; whether from sympathy you have trod in the steps of that divine genius, or whether, as is most probable, your observation is the result of what you have read and learned in his writings; for I perceive that you have applied more to the Greek learning than we imagine. I will tell you the truth, Catulus, answered the other: I always thought that an orator would be more agreeable,

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and more plausible to our countrymen, who, in speaking, displays the fewest vestiges of art and of Greek learning. At the same time I thought it more became an irrational than a human being, to be inattentive to the Greeks, when they undertake, profess, and handle such weighty matters, and not only so, but pretend to give mankind a rule for discerning the most obscure subjects, for living morally, and speaking copiously; and if one does not hear them publicly, for fear of derogating from his character among his countrymen, he should at least secretly catch up some of their words, and, without seeming to notice, retain what they say. This, Catulus, has been my method, and by this means I have some notion of their pleadings, and those general topics which they have discussed.

CHAP. XXXVII.

INDEED, says Catulus, you have steered, with regard to philosophy, with great caution, and yet split upon it as upon a fatal rock which you wished to avoid. This state, however, has never despised philosophy. For at the time when only a colony from the great nation of Greece flourished in this country, Italy was full of Pythagoreans; from whom came Numa Pompilius, our king, who is said to be a Pythagorean; yet he lived a great many years before Pythagoras. For this reason, we are to look upon him as a still greater man, since he possessed the knowledge

of civil polity almost two ages before the Greeks perceived that such a knowledge existed. And surely this state never produced men more celebrated, more dignified, or more learned, than were P. Africanus, C. Lælius, and L. Furius, who were ever attended, and that in public, by the most learned man they could get from Greece. And I have often heard them say, that the Athenians performed a service very agreeable both to them, and to a great many leading men of this city, when they sent in an embassy upon their most important concerns, the three most eminent philosophers of that age, Carneades, Critolaus, and Diogenes: that when these were at Rome, their lectures were daily frequented by themselves and others. After the authority of those great men, I am surprised, Antony, that, like the Zethus of Pacuvius, you should almost declare war upon philosophy. By no means, replied Antony; I rather resolved to philosophize a little like Neoptolemus in Ennius, for I do not love to be a finished philosopher. But my opinion is this, and I thought I fully explained it: provided these studies are cultivated with moderation, I do not disapprove of them: but I think it prejudicial to an orator that a judge should consider him as a philosopher, and thus suspect him of being versed in the arts of sophistry. For this takes away both from his authority as an orator, and his credit as a reasoner.

CHAP. XXXVIII.

BUT, to return from whence we digressed, do not you perceive that of these three very famous philosophers, who, you say, came to Rome, Diogenes professed to teach the art of reasoning; of separating truth from falsehood; which the Greeks call logic? In this art, if it be an art, we have not one rule how to find out the truth; the whole object of it is how to judge of it. For it happens that in every proposition we lay down, whether it be of the affirmative or negative kind, if simply laid down, these logicians undertake to judge whether it is true or false; and whether it is expressed in a complex form, with other things annexed; they pronounce whether it is rightly connected, and whether the aggregate of all the reasonings is true: at length they so entangle themselves in their own quirks and subtilities, that they meet with difficulties which they are not only unable to solve, but even perplex those points which they had before unravelled. Here, therefore, that celebrated stoic is of no service to us, insomuch as he lays down no rules how to invent what I am to say: nay, he even embarrasses me, by throwing difficulties in my way, which he declares to be indissoluble: and all this in a style by no means perspicuous, diffusive, and flowing; but meagre, barren, stiff and rugged; so that if he proves any thing, it must still be allowed that his manner is far from being agreeable to that of an orator. Our object is to en-

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gage the attention of the multitude, to soothe or to rouse their passions, and to gain their assent to what must not be weighed in the golden balance of truth, but in the scales of popular opinion. Let us therefore take our leave of this whole system, which, with respect to invention, is too mute; to decision too loquacious. I am of opinion that Critolaus, whom you mention to have come along with Diogenes, could have been of much more service to our profession. For he followed Aristotle, from whose precepts you perceive I do not much differ. I have read his book, where he treats of the methods of speaking which were used by his predecessors, and likewise those works, where he lays down something of his own upon this head: and, to me, there appears this difference between Aristotle and his brother professors of this art: he, by the same acuteness with which he comprehended the power and quality of every object of nature, discovered the properties of eloquence, which, at the same time, had but a second place in his esteem; but the others, who are wholly engrossed with this study, dwell upon the single province of logic, and dispute not with the good sense of Aristotle, though with greater diligence and practice upon this single point. But as to the wonderful energy, and the variety of language, with which Carneades speaks, it is this we ought to aim at; for in his disputations he never defended what he did not prove, nor ever attacked what he did not overthrow. This however is somewhat more than is to be expected from those professed teachers.

CHAP. XXXIX.

BUT, were I to train up one who is quite uninformed to eloquence, I would rather consign him to these drudges, who night and day hammer on the same anvil, in the same labour; and who feed their scholars, as nurses do infants, with the most delicate food. But if he be liberally educated, if he have any experience, if he seem to be tolerably acute, then will I hurry him, not where a feeble stream stagnates, but where a flood of eloquence breaks forth; where he may view the seats, and, as it were, the mansions of arguments, where they are illustrated in a few words, and defined by proper expressions. For what difficulty can there be to a man who is sensible that every topic in discourse, that serves either to prove or to refute, is derived from its own power and nature, or borrowed from some exterior circumstance? The former consists in the universal, or partial enquiry into the nature of a thing; its term, or any quality that comes nearest to the case. As to exterior circumstances, they are adventitious, and not inherent in the nature of the case. If the question is general, its force is to be explained by a general definition, in this manner: "If majesty consist in the grandeur and dignity of a state, then he attains it who delivers up a Roman army to the enemy, and not the person who delivers such a traitor to the power of the people of Rome." If the question is partial, it is to be done by partition

tion in this manner: "The senate is either to be obeyed in matters that concern the welfare of the state, or some other authority is to be instituted; or one must follow what his own reason suggests: an authority foreign to that of the senate would be *presumptuous*; one's own determination would be *arrogant*. The authority of the senate was therefore to be followed." If the question lies in the term, as in the case of Carbo, it is stated in this manner: "If he be a *consul* who *consults* the good of his country, what else has Opimius done?" But as to questions that turn upon qualities which come nearest to the case, there are more seats and common-places from whence proofs may be drawn: We then enquire into arguments drawn from accidental properties, general heads, and their subdivisions, similarities, and dissimilarities, contrarieties, consequences, analogies, precedents, and inconsistencies. We trace causes and their effects, and enquire into arguments drawn from the properties that are either greater, equal, or less.

CHAP. XL.

As to arguments drawn from accidental properties, they are thus formed: "If the greatest honour be due to piety, then you ought to be affected, when you behold the pious sorrow of Q. Metellus." From the kind; "If the magistracy ought to be subordinate to the people of Rome, why do you accuse Norbanus, whose tribuneship

buneship was always subservient to the pleasure of the state ? As to partial arguments, which are sub-divisions of general heads ; if all who consult the good of our country ought to be dear to us, a general ought surely to be the dearest, since it is by his counsels, courage, and dangers, that we retain the safety of our persons, and the dignity of our empire." From similarity thus ; "If even wild beasts love their young, what affection ought we to cherish for our offspring ?" From dissimilarity thus ; "If barbarians have no thought beyond to day, it should be our wisdom to provide for futurity." And both in similarity and dissimilarity, examples are to be brought from the actions, the sayings and the accidents of others ; and very often you are to state fictitious cases. Now as to contrarieties ; "If Gracchus acted unnaturally, Opimius acted nobly." From consequences ; "If a man were slain, and you his foe taken upon the spot with a bloody sword in your hand ; if no person were seen there besides yourself capable of injuring him, while you were always remarkable for audacity, how can we doubt of your committing the murder ?" From circumstances that are agreeing, antecedent, and repugnant, let us borrow the words of Crassus, when a young man. "Carbo, though you defended Opimius, these, notwithstanding, will not esteem you as a good citizen : it is plain that you have dissembled, and that you had something else in view, because in assemblies of the people you often deplored the death of Tiberius Gracchus ; because you were an accomplice in

in the death of Publius Africanus ; because in your tribuneship you enacted that law ; because you always dissented from patriots." As to arguments drawn from motives, they proceed in this manner : "If you wish to destroy avarice, you must destroy luxury, which is the parent of it." As to effects arising from causes ; "If we employ the wealth of the treasury for supporting us in war, and adorning us in peace ; let us do every thing then to improve our revenue." As to greater, to lesser, and parallel circumstances, we introduce them thus. "If a good name be better than riches, and if riches be so desirable, how much more is glory to be coveted ? An argument taken from the lesser is this ; ^m "If after so short an acquaintance he lamented her death so bitterly, how would he have done if he had loved her ? how will he bewail me who am his father ?" From equal cases thus ; "It is the part of the man who plunders his country to corrupt it with its spoils." As to arguments taken from exterior circumstances, these are borrowed, not from the strength of a cause itself, but from extraneous objects : as for instance ; "This proposition is true, for Q. Lutatius advanced it ; the other is false, for it was extorted by the rack." This is a necessary consequence ; for I read over the deeds ; as to every thing else in general I have spoke to it before. These I have exemplified with all the brevity of which they are susceptible.

CHAP.

^m This example is borrowed from the Andria of Terence.

CHAP. XLI.

FOR, as if I were to point out a mass of gold that is buried in several places, it would be enough, if I should describe by signs the places where it lay; for then the person, to whom I thus described it, might find and dig it up with ease and certainty: thus, having possessed myself of these characteristic arguments, which point out what I was in search of, I obtain the rest by care and invention. But as to the nature of those arguments, that are best adapted to these several kinds of causes, it does not require consummate art to prescribe them, and but a middling degree of genius to judge of them. For my business is not now to explain the art of eloquence, but to lay before men of the greatest learning, certain hints suggested by my own practice. When these topics are understood and imprinted upon the mind, and disposed so as to serve upon all occasions, nothing then can escape an orator, not only in his debates in the forum, but in every species of speaking. But if he should attain to such perfection, as really to appear the very character which he personates; and if he can so move the judges, as to lead them with, or without their inclination to whatever sentiments he pleases; believe me, he then wants nothing that can contribute towards forming a finished orator. Let us now proceed to shew, that it is not sufficient to invent what you have to say, unless you also know how to make a proper use of what you have

have invented. Variety is necessary in this, both to conceal your art from the hearer, and to prevent his being cloyed with repetitions. It is proper, sometimes, to lay down what you advance, by way of proposition, and to shew the reason why it is so: and sometimes to draw a conclusion from the same topics: sometimes to leave it to be formed by the hearer, and to pass to something else: sometimes to make no proposition at all, but to leave the reason of the thing to point out what should be proposed. If you rest your argument upon a parity of reasoning, you are first to prove the parity; you are then to make an application to the point in question: you are generally to conceal the pith of your arguments, to prevent their being numbered, and though distinguished in reality, to blend them in words.

CHAP. XLII.

To you, who are learned, I cursorily notice these things, that I may come to matters of greater consequence. For there is nothing, Catulus, of greater importance to an orator, than to prepossess the hearers in his favour, so that the emotion he himself feels may proceed from certain impulse or agitation of mind, rather than from the dictate of sober judgment. For men often judge under the influence of hatred, love, desire, anger, grief, joy, hope, fear, mistake, or some emotion of the mind, rather than of truth, precept, law, or equity. With your approbation, therefore, I proceed to these

these points. Says Catulus, something seems to be still wanting, Antony, which regards the subject you have already explained, and which you ought to clear up before you proceed to what you proposed. What is that? replies Antony. It relates, answers Catulus, to that order in which you generally arranged your proofs; for in this particular you always seemed something beyond human. You shall judge, Catulus, replies the other, how much beyond human I am in this respect: upon my word, had I not been put in mind, I should not have once thought of it. By this you may judge that all the success I have in speaking is owing either to practice or chance. Yet that very point, which, as being unacquainted with it, I passed by as one would a man he never knew, is as important in eloquence as any other circumstance. But give me leave to say, that you seem to anticipate the time when I am to lay down the method of disposing a subject: for had I placed all the power of an orator in proofs, and the evidence that arises from the nature of the cause, it would be now proper to speak of the manner in which proofs should be arranged; but as I have as yet spoken only on one of the three points proposed, I must discuss the other two before I speak of the disposition of speech.

CHAP. XLIII.

HONOURABLE actions, and upright lives, in the pleader and his client, greatly contribute to a successful

successful termination of his cause, while a contrary character in the adverse party tends effectually to their defeat. The same effect is likewise produced by conciliating as much as we can the minds of the judges. A favourable opinion again is gained by dignity of character, by the actions which a person has performed, by his reputation, which are much more easily set forth if they are real than if they are fictitious. But an orator is much aided also by these, softness of voice, countenance, bashfulness, graceful elocution, and an apparent reluctance, if you are obliged to run into invectives. It is of the greatest utility to display marks of ease, generosity, affability, piety, gratitude, moderation, and disinterestedness; all the qualities of worth, meekness, gentleness, complaisance, placability, peaceableness, are extremely prepossessing, both in favour of the speaker and the person for whose interests he pleads; and they bias the mind against those who do not possess them in proportion as they favour the opposite party. But all this manner of speaking has the greatest effect in those causes, where it is difficult to inflame the judge with violent emotions. For vehemence of speech is not always proper, but there is often required a style that is gentle, mild, submissive; which is of the greatest service to the accused party. By this expression I mean not only the accused, but all who have an interest at stake; for this was the sense in which our forefathers used the term. It has therefore a wonderful effect in a speech to express their manners as just, upright, religious, diffident,

diffident, and patient under injuries; and this, either in the beginning, in the narrative, or in the peroration, has such influence, if agreeably and feelingly handled, that it is often of more force than the merits of the cause itself. But by a feeling manner of speaking, the speech becomes, as it were, the picture of the speaker's character. For certain sentiments and expression, joined to a gentle, easy action, make us appear men of probity, of worth and virtue.

CHAP. XLIV.

BUT very different from this is that method of speaking, which affects the minds of the judges in another manner, and impels them to hate, to love, to spite, to favour, to fear, to hope, to desire, to abhorrence, to joy, to sorrow, to pity, to resentment, or leads them to those emotions, if any such exist, which are congenial with these. An orator too is to wish that the judges should bring along with them a disposition of mind, which is most suited to favour the cause he pleads. For it is observed, it is much easier to give speed to the man who runs, than activity to him who is drooping. But if this be either impossible, or very difficult, to be effected, then I act like the careful physician, who, before he prescribes a remedy to his patient, informs himself, not only of the nature of the disease he wants to cure, but of his habit and constitution when he was in health. For when I enter upon a doubtful cause, by
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which it is difficult to move the judges, I employ all my care, attention and reflection, to observe in the best manner I can their thoughts, their apprehensions, their expectations and desires, and whither they may be led with the greatest ease. If they yield, and, as I said before, if their bias naturally favours the impression we make upon them; I make use of the advantage given, and spread my sails before the wind. But if the judge is unbiassed, and composed, it is a more difficult task, for then every passion is to be worked up by the dint of eloquence, without any assistance from nature. But eloquence, which an excellent poet rightly terms the *mistress of the soul, and queen of the universe*, has such a power, as not only to raise the stooping, or to bend the erect, but like a skilful and brave commander, to lead even reluctance and opposition into captivity.

CHAP. XLV.

THESE are the things which Crassus, a little time ago, so earnestly desired to hear from me, when he said, in jest I suppose, that I used to handle them with divine skill; and commended some other things in the cause of Manius Aquilius, and Caius Norbanus, as conducted with great address. Yet, by heavens! Crassus, when you employed the same qualities in your pleading, I used to shudder: so great was the spirit, the force, the passion expressed in your eyes, your features, and your air; nay, there was meaning

ing in the motion of your hands. So powerful was the torrent of weighty, well-chosen words, so pure your sentiments, so just, so new, so destitute of false unmanly ornaments, that to me you seemed not only to fire the judge, but to be yourself in flames. Nor is it possible that a hearer should ever be impressed with sorrow, with hatred, with detestation, with dread; nor to move him to tears or pity, unless the speaker appears affected with the passions which he wishes to awaken in the judge. But if an orator affect some passion, and if every thing he advance in his speech is false and counterfeit, then indeed a greater degree of art is necessary. Now, Crassus, I do not know how it is with you and other people; but, for my own part, I know of no cause that could induce me to dissemble before men of the greatest good sense, and my best friends. I never, indeed, attempted to awaken in the judges the feelings of pity, detestation, or hatred, if I did not at the same time feel within my own breast the emotion I wanted to excite in theirs. For it is no easy matter to point the anger of a judge against a person, if you seem to be cool and dispassionate yourself: it is no easy matter to make him hate the man you wish he should hate, unless he first sees you burning with resentment: you never will be able to bring him to pity, without proofs from your words, sentiments, voice, look, and tears, that you feel yourself the compassion which you recommend. For as no substance is so combustible as to kindle without fire; so no mind is so susceptible of the power of eloquence,

eloquence, as to catch its blaze, unless the speaker, when he approaches it, is himself in flames.

CHAP. XLVI.

BUT lest it may be thought surprising and incredible, that a man should experience such frequent vicissitudes of passion, that he should indulge such opposite emotions, especially in matters in which he has no personal concern, we are to consider that the sentiments and topics, which you employ in pleading, are so impressive, that there is no occasion to have recourse to fiction and falsehood. For a *pathetic* address is in its very nature more likely to make a deeper impression upon the orator himself, than upon any of his hearers. And that we may not be surprised at this happening in causes, in the forum, in the city, when our friends are in danger, when multitudes are assembled; we cannot but reflect that not only our reputation is at stake, (and though that is but trifling, yet still it has some influence, as we profess to have attained what is attainable only by few) but you have a much more important concern depending; I mean your honour, your duty, and your fidelity in discharging it. These are such motives, that even while we defend a mere stranger, if we have any regard to our own credit, we cannot consider him but as a friend. But, that this may not appear surprising to you, what can be more remote from reality than poetry, a play, or a fable? Yet I have seen the eyes of a
P
player

player sparkle through his assumed character, when he repeated these lines; *Durst you part with him? Without him, durst you enter these walls? Did you not dread the frown of a father?* He never pronounced the word *frown*, but I thought I saw old Telamon frantic with grief at the loss of his son. Again, when assuming a more compassionate tone, he uttered the words, *You have torn in pieces, you have robbed, you have murdered your father in the loss of a son who was the prop of his declining age; nor did you regard the death of a brother, or his helpless infant, of whom you were the appointed guardian.* These he pronounced all in tears and sorrow. If this player, notwithstanding his daily practice, could not represent this speech well without real emotion; what! can you imagine that Pacuvius was cool and composed when he wrote it? By no means; for I have oftentimes heard, and they say it is confirmed by the writings of Plato and Democritus, that no good poet ever lived without lively imagination and enthusiastic feelings.

CHAP. XLVII.

THEREFORE, do not imagine that I, whose business is not to imitate while pleading the romantic exploits, or the imaginary disasters of ancient heroes, who did not personate, but was the real author of the character I appeared in, when I was to save Manius Aquilius from banishment,
while

while I touched upon the pathetic part, did not feel all the passion I expressed. When I saw the man whom I remembered to have been consul, to have been a general distinguished by the senate, to have mounted the steps of the capitol in triumph, depressed, dejected, sorrowful, in imminent danger; is it to be imagined that I attempted to awaken sentiments of pity in the breasts of others, before I felt them in my own? Yes, I perceived that it greatly affected the judges, when I appealed to the sorrow and dejection of the old man; and when I did, what you, Crassus, have commended; when, not from affectation, to which I am a stranger, but from the irresistible impulse of grief and concern, I tore open his vest to shew his scars. When C. Marius, sitting at the same time upon the bench, by his tears greatly heightened the affecting scene I had delineated: when, by frequently calling on him, I recommended his colleague to his protection, and requested his intercession for defending the fortunes of all generals. The compassion I raised was not on my part without a flood of tears, nor without a load of anguish; and the appeal that in every expression I made to gods, to men, to citizens and friends, would not only have been ineffectual in raising compassion, had I not been deeply affected myself, but must have appeared ridiculous in my pleading. Therefore, mark me, Sulpicius, like a good and learned master as I am, I teach you how, while you are speaking, you may be angry, how you may grieve, how you may weep. But why should I teach this
P 2 to

to you, who, when you accused my companion and quæstor, raised a flame, not only by your eloquence, but by the power, and the glow of your feelings, which burned so fierce, that I scarcely ventured to approach to extinguish it. For in that cause you had every thing that could render you triumphant; you had there a field to expatiate, in the course of the trial, upon the violence, the flight, the stoning, and the cruelty of the tribunes, and on the lamentable fate of Cæpio: then it was evident that Marcus Æmilius, a leading man in this city and the senate, had been struck with a stone, and that Lucius Cotta and T. Didius, when they wanted to put their negative, were driven violently out of the temple.

CHAP. XLVIII,

BESIDES, your being a young man added the greatest dignity to the complaints you poured forth in behalf of your country; while I, who had been a censor, was puzzled in what manner, consistent with my own character, I could enter upon the defence of a seditious citizen, so unrelenting at the misfortune of a consular person. The most worthy of our citizens sat upon the bench; the forum was full of excellent men; so that I had but slender grounds of excuse; though I was to speak for one who had been my quæstor. Shall I say that I here had recourse to any art? I will inform you of my conduct, and you may give it what appellation you please. I

illustrated

illustrated the nature, recounted the mischiefs, and pointed out the dangers of sedition: I traced its effects down through every stage of the republic, and concluded, by observing, that though popular commotions had always been injurious, yet that sometimes they were warranted by justice, almost by necessity. Then I advanced what Crassus just now mentioned; that neither kings could have been driven out of the state, nor tribunes of the people created, nor the consular power so often impaired by acts of the commons, nor could the people of Rome have obtained the right of appeal, that protector of the state, that guardian of her liberty, had it not been for their struggles with the nobility. That if insurrections had been of service to the community, any tumult which might have happened ought not instantly to be charged on Caius Norbanus as an heinous crime, and a capital misdemeanor. I urged, if it were once admitted that the people of Rome might be lawfully alarmed, which I proved to have been often the case, they never had better reason than at that time. Then I gave my whole pleading a new turn; I pointed it against the flight of Cæpio, I bewailed the loss of the army. By this means I awakened the sorrows of those who had lost their relations, and renewed the resentment of the Roman knights, who were judges in that cause, against Cæpio, who was before disagreeable to them, on account of certain judiciary proceedings.

P 3

CHAP.

CHAP. XLIX.

As soon as I perceived I had obtained an interest with the judges, and made them feel the force of my defence; that I had conciliated the favour of the people, whose rights were linked with the sedition I was then defending; and had directed the whole resentment of the judges, as arising either from the misery of the state, or from their grief for the loss of their relations, or their personal hatred of Cæpio, to favour my cause, I then began to mingle with this vehement, ardent style, the other manner which I have already mentioned; ^a I mean the gentle and endearing. I told them that I hazarded almost all my reputation and fortune in defence of my companion, a relation which your ancestors looked upon as that of a son; that nothing could so much disgrace, nothing could so much grieve me, as that I, who had been often thought of service to the greatest strangers, among my countrymen, should not now be able to assist a dear companion; I entreated the judges to yield this to my age, to the honours I had discharged, to the actions I had performed, if they saw me affected with a just and affectionate sorrow; especially if in all my other causes they had perceived I had asked no favours for myself, but in behalf of my friends.

^a I mean the gentle.] The reader may see in the first volume of the orations translated into English, how well and how exactly Cicero has followed the rules here laid down in his defence of Milo.

friends. Thus, in all my defence of this cause, I very slightly touched upon any point that required art, such as speaking upon the Apuleian law, and explaining the nature of treason. But my whole address consisted in two parts, the first, in moving the passions, the other, in recommending myself; for the perfection of both which parts we are very little obliged to the rules of art. It was by these means, that my invectives prevailed in renewing the popular aversion for Cæpio, and I myself appeared all gentleness and tenderness, when I came to touch upon the nature of my private friendships. Thus, rather by moving the passions than convincing the understanding of the judges, Sulpicius, I baffled your impeachment.

CHAP. L.

You are in the right Antony, says Sulpicius, to mention this; for I never knew ^a any thing slip

^a Any thing slip out of my hands.] The Latin has *quod tam è manibus elaberetur*. There is a sneer here of Sulpicius that has never been attended to. Antony had just been telling in what manner he had acted his part when he brought off Norbanus, and it is plain, that though the rules and examples he lays down in the relation are extremely just, yet he treats the whole as a solemn farce; he concludes by saying Sulpicius was baffled, *magis affectis animis indicum quam victis*. Sulpicius in this passage keeps up the humour, and says that that cause had slipped out of his hands. This alludes to the farces, or mimi, where a fellow was brought upon the stage, and by different feats of activity, of the same nature with those of our harlequin,

slip out of my hands in the manner that cause did at that time ; for, as you have mentioned, when I had left you not to answer arguments but to extinguish flames, immortal gods ! how did you begin ? With what bashfulness, with what diffidence, with what hesitation, and with what an artful disposition ! After you had gained the first point, and the only one that could induce the audience to excuse you, as you were pleading for a dear friend, and one who had been your ^p quæstor ; what a road did you then pave to secure attention in the progress of your speech ? But all of a sudden, while I imagined you only obtained the indulgence of the audience, by reason of your connection with him, in defending a profligate citizen, you, insensibly to others, though much to my alarm, began secretly to insinuate that Norbanus had not been seditious, but that the insurrection

quin, escaped out of the hands of the rest of the actors, who, pursuing him, left the stage clear, and thus the farce ended. For a more particular account of this see the note upon the oration for Cæcilius, in my translation, vol. 2. p. 162. line 23.

^p Quæstor.] The dignity of prætor excelled that of quæstor, and is here compared to that of a father. Cicero, in his oration for Cæcilius, (see the first volume of the translation of the orations, p. 121.) explains this passage. “ It is a doctrine transmitted to us from our ancestors, that the prætor is in place
“ of a parent to his quæstors ; that no relation can be more
“ binding, more interesting, than a conjunction in office, than
“ the common discharge of a public duty, at the same time,
“ and in the same province. Therefore, though consistent
“ with law you could prosecute him, yet you cannot consistent
“ with piety, because of your filial ties. But, while he never
“ did you wrong, if you impeach your prætor, then must you
“ acknowledge that your enmity is, on your part, unjust and
“ detestable.”

rection had happened through the justifiable, and merited resentment of the Roman people. Then what attacks you made on Cæpio ; how you filled all the assembly with a mixture of hatred, resentment, and compassion ! in this, not only in the body of your pleading, but with regard to ^a Scaurus, and the rest of my witnesses, whose evidence you did not set aside by your reasoning, but by appealing to the passions of the people. Provided you but mention those things, for my part, I require no other instruction. For I think I am sufficiently instructed in hearing yourself exemplify the manner of your pleading. Nay but, replies Antony, if you please, I will likewise instruct you in the rules I used to follow, and had principally in view in my pleading. For the long time I have lived in the world, and the practice I have had in affairs of consequence, may well by this time make me master in what manner to touch the springs of passion in mankind.

CHAP.

^a Scaurus.] He was the grandson of Aurelius Scaurus, who being taken prisoner by Bolus king of the Cimbrians, after the defeat of the Roman army, as he maintained to that prince, that the Romans were invincible on the other side of the Alps, and that he would experience it if he passed them : Bolus losing patience, run upon him with his sword, and killed him. Strebæus.

CHAP. LI.

AND for my own part, I used to consider whether the nature of the cause required this manner. Because the flames of eloquence are not to be kindled on trifling occasions; nor when the audience are so disposed, as not to admit the influence of passion. For a man is thought ridiculous when he applies the *pathetic* to trifles; and he is odious when he attempts to *pluck up* what it is impossible to *move*. Now the passions which we have generally to awaken in the minds of the judges, or of an audience, are love, hatred, anger, envy, compassion, hope, joy, fear, and uneasiness. We perceive that love is conciliated by seeming to plead for what is advantageous to the audience: Or if we exert ourselves for men of worth, or such as at least seem to them to be men of worth and utility. By the first we conciliate their love; by defending virtue, their endearment; and the prospect of a future advantage is always more affecting than the mention of a past service. You are to labour to prove, that either their dignity or utility is connected with

* *Love.*] Cicero, as I have observed before, has nobly exemplified all these in his oration for Milo. See vol. 1. of the translation into English, P. 53. with what art he courts the love of Pompey for Milo.

* *Uneasiness.*] The oration for Milo seems to have been the original from which our author draws all the excellent precepts and observations he lays down with regard to eloquence.

with the cause you defend; and you must intimate that the person for whom you labour to procure all this love, never made any private advantage of his own by it, nor had any selfish views in what he did. For motives of interest beget hatred; but labouring for the service of others, favour. But we must here take care when we are upon this topic, not to extol too much the merit and the glory of those whom you want to recommend by such services; for nothing is so liable to envy as these. At the same time, from these very topics we may learn how to direct resentment against others, and avert it from ourselves and our friends; and the same method is to be followed either in awakening, or allaying anger. For if you exaggerate a fact, which must be pernicious or disadvantageous to your hearers, then, that begets resentment. But if this is to affect worthy men, or those who have not deserved it, or the public, it then generates, if not such keen resentment, yet a disgust that is not at all unlike that of hatred or envy. Fear too is inculcated either from *personal*, or *common* danger. *Personal* danger affects us most, but the *common* must be represented as having consequences connected with ourselves.

CHAP. LII.

THE same method must be held with regard to hope, joy, or uneasiness: but I know not whether the emotions of envy are not far more keen than them

them all; and whether it requires most power to suppress or to awaken it. The chief objects of envy amongst men are such of our equals or inferiors, who raising themselves above our rank in the world, give us the mortification of seeing them soar above us. We likewise very often envy our superiors, especially if they are insolently boastful, and, by the figure and fortune they enjoy in the world, transgress the bounds of common decency. In such a case, when we want to inflame, we ought chiefly to insist that these advantages are not acquired by virtue; and then that they were acquired by the vices and crimes of their possessors; but if they are of too weighty and serious a nature to be treated of in this manner, you are then to insist that no merit, be it ever so great, can compensate for such insolence and such pride. But when you want to allay envy, you are to say that such honours were acquired by much toil and many dangers; and that they have not been applied to the possessor's private advantage, but to that of others; and that if he seemed to have acquired any glory, yet so moderate he was in the possession of it, that though he had justly earned it by his dangers, it was so far from giving him pleasure, that he undervalued, and laid it aside. And we must by all means endeavour to keep down the idea of his greatness, and to temper the superiority of his fortune with reflections upon the toils and hardships to which he had been exposed; the reason of this is because the world is apt to envy; it is the reigning, the standing vice, and feeds upon exalted and flourishing

flourishing fortune. Compassion is moved, if the hearer can be brought to apply to himself the afflicting circumstances that are deplored in the case of another; whether they are already past or dreaded; or, by looking upon another, frequently to turn his eye into his own breast. Thus, as every circumstance of human nature is affecting, when pathetically represented; virtue, when dejected and prostrated, is more so; and, (as I have often mentioned) the gentle, mild manner of speaking, by recommending probity, ought as it were to give the picture of a virtuous man; so this style, when an orator undertakes to change the affections, and mould them to all his purposes, ought to be intense and vehement.

CHAP. LIII.

BUT in these two kinds there is so strong a resemblance, that it is hard to distinguish when we ought to apply the gentle, and when the vehement. For some portion of that gentleness, by which we conciliate the favour of the hearers, ought to mingle with that energy, with which we wish to rouse them; and even gentleness must sometimes be employed in inflaming certain passions of the mind: nor can any speech be more happily tempered, than that in which the asperity of dispute is seasoned by politeness; and where, on the other side, gentleness is guarded by a certain gravity and steadfastness in our purpose. In both these kinds, I mean that which requires

requires force and disputation, and that which is adapted to moral life, though in setting out, the speaker ought to be slow, yet in ending he ought to be quick and diffusive. For he must not pass abruptly into that manner, it being quite foreign to the merits of the cause, and people wanting in the first place to know what they are actually to judge of; but when he is got into that track, he ought not to leave it hastily; for you cannot upon the first impression raise compassion, envy, or resentment, in the same manner as when a proof is laid down it is immediately taken in. For a proof is strengthened by the conviction it carries, which seizes you as soon as expressed. But this kind of pleading requires in a judge not so much clearness of comprehension as sensibility of heart, and no man can ever succeed in it, but by diffusive, varied, and copious eloquence; and after a proportionable vehemence in the dispute. Therefore, they who speak concisely and coolly, may indeed instruct, but they never can move a judge, which is every thing. It is now clear, that in all disputes, the weapons that serve for opposite modes of speaking are derived from the same source. But the force of a proof must be invalidated, either by censuring those circumstances which are brought to support it, or by shewing that the conclusion insisted upon does not arise from, nor is consequential to, the premises. Or if you cannot confute it by these means, you must oppose to it evidence equally or still more weighty. But those parts of pleading which consist of lenity in conciliating,

ing, or vehemence in moving, are to be introduced from opposite passions, that kindness may succeed resentment; and envy, pity.

CHAP. LIV.

BUT wit and humour are often agreeable, and highly serviceable. And though every thing else were communicable by art, yet these are attainable only by nature, without any assistance from art: in this, Cæsar, you, in my opinion, are far superior to all others, and you will therefore either allow, that art can never make a man witty, or if it can, you are the best master to instruct us in it. By your leave, replies Cæsar, I think a man who is no fool may talk more *wittily* upon any subject than that of *wit*. For when I saw some *Greek jest books* I had small hopes of learning a little from them: and indeed I found a great deal of wit and humour among the Greeks: for the Sicilians, the Rhodians, the Byzantines; but above all, the Athenians, excel in this respect. But they who have attempted to lay down artificial rules how to attain it, have betrayed such stupidity, that they afford you nothing to laugh at but their dulness. I am therefore

¹ *But they who have attempted, &c.*] The strength of this argument is; if the Greeks, who are very witty, and the inventors of all arts, make themselves ridiculous and foolish in describing wit, it appears that it cannot by any means be taught, unless one better qualified than they undertake it. thus he lessons the Greeks, that he may commend himself and his own countrymen. Strebaeus.

fore of opinion that this talent cannot by any means be communicated. For as there are two kinds of wit, one that runs equally through the whole of a discourse, the other pointed and short, the first was termed by our forefathers *railery*, and the other *repartee*, both of them are *trifling*, for one needs but *trifle* to raise a laugh. And yet, Antony, as you observe, I have very often seen *humour* and *wit* produce a prodigious effect in causes. But as art is not required in continued *humour*, which is the first kind I have mentioned, far less can it enter into *repartees*, which forms the second, and which must without premeditation produce its effect. For mimics and men of humour are made by nature; it is she that moulds their features, modulates their voice, and forms their very expression to second their looks. Was it owing to art that my brother, here, when Philip asked him, *why he barked?* answered *because I see a thief*. How did Crassus express himself in every part of his speech before the Centumviri against Scævola; or in defence of Cneius Plancus against Brutus, who impeached him? For, Antony, that which you attribute to me is universally allowed to Crassus, and he is perhaps the only man in the world that is master of both these kinds of *wit*; I mean that which runs through the whole of a discourse, and that which consists in quickness and smartness. For his whole defence of Curius against Scævola was a continued flow of pleasantry and humour; but without any play upon words. Because, by paying a regard to the *dignity* of his antagonist he preserved his

own;

own; and it is very difficult for men of wit and quick parts to pay any regard to times or characters; by restraining themselves when they are disposed to be sarcastic. For this reason some wits put a construction sufficiently humorous upon the following passage of *Ennius*: *it is easier for a wise man to keep a burning coal within his teeth, than a good saying*. Now, according to them, *good sayings* are *witty ones*: and, at present, they are commonly understood in that sense.

CHAP. LV.

BUT as Crassus proceeded against Scævola without reflection, he thereby turned the whole cause and disputation into ridicule. Thus when he spoke against Brutus, whom he hated, and whom he thought it a duty to expose, he fought with both weapons. How much did he play upon the baths he had then lately sold, and the patrimony he had squandered? And when Brutus said, *that he sweated without any reason*, how quick was his repartee? *How can it be otherwise*, said he, *for you have just got off a bath?* He had many other such turns; but his continued humour was equally agreeable: for when Brutus called up two readers, and gave one of them an oration of Crassus upon the "Narbonese colony to read;

and

"Narbonese colony.] In the province of Narbon a Roman colony was settled, the inhabitants being expelled by war; see

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the

and the other, that respecting the Servilian law, and when he had compared the political contradictions their several chapters contained, our friend here * very humorously gave the three treatises written by his father Brutus, to three different readers. In the first book was this passage, *I happened to be at my Privertine estate. Brutus, said he, your father here is an evidence that he left you an estate at Privernum.* In the second book, *I and my son Marcus were at my Alban estate. What a wonderful sagacity did this good man discover, said Crassus; he knew what a cormorant his son was, and was afraid that if he did not mention the estates he left him, it should be thought he inherited nothing.* In the third book, which is the last he wrote, for I have heard Scævola say that these are all the genuine works of Brutus, we have these words: *I and my son Marcus happened to be sitting together at my Tibertine estate. Where, Brutus, said he, are those estates which your father, in the writings he published, says he left you? Ah! had you not been of age, he would have written a fourth book, and have told the world that he had washed* in

the oration *pro Fonteio*. When a law was made against that colony, Crassus opposed it, and run out in invectives against the senate because they did not join him.

* *Very humorously.*] I do not know if the reader of taste will be very much in love with this piece of humour of Crassus.

† *Ah! had you not been of age.*] The Latin has it, *nisi pubertem te jam haberet.* The age of puberty among the Romans was the fourteenth.

in his baths along with his son. Must it not then be confessed that Brutus was as much confounded by this wit and raillery, as he was by the pathetic expressions he poured forth, when by chance the funeral of the aged Julia past along? Immortal gods! what force, what energy was there: how quick, how sudden its impulse? Brutus, cried he, *what commission have you to deliver to your father, by this aged matron? What message do you send to all those persons, whose figures you now perceive are carrying along? What to your ancestors? What to Lucius Brutus, who delivered Rome from regal tyranny? What shall she report that you are doing? What object, what accomplishment, what virtue are you now pursuing? Are you improving your estate? that is not a business for a man of quality. But granting it were, you* have

‡ *What message, &c.*] Our author seems extremely fond of this figure; he has beautifully adapted it in his pleading for Cælius: see the translation of the orations, vol. 2. p. 134. Our author perhaps borrowed it originally from Demosthenes, and Virgil has used it in some places with great success. See *Æneidis* lib. 2.

*Cui Pyrrhus: referes ergo, hæc, et nuncius ibis,
Pelidæ genitori: illi mea tristia facta,
Degeneremque Neoptolemum narrare memento.*

*Thou then be first, replies the chief, to go
With these sad tidings to his ghost below;
Be gone—acquaint him with my crimes in Troy,
And tell my sire of his degenerate boy.* PITT'S TRANS.

have none to improve; you have dissipated it by intemperance. Are you busied in the civil law? that too was your father's; but she will tell, that you have sold his house, and have not reserved even ^a a spot where to erect your father's chair. Shall she say that you are applying to military affairs? why you never saw a camp. To eloquence? To that you are a total stranger. Those faculties of speech, and every talent of voice or tongue you possess, you have prostituted to the base purposes of calumny. Dare you behold the light? Dare you look upon these statutes? Dare you face the forum, the city, or the assembly of your countrymen? Do you not tremble at the sight of that corpse, at the memory of your ancestors, whose virtues you are so far from imitating, that you have not reserved even a spot for erecting their images?

CHAP. LVI.

THIS language, as if inspired, breathes magnificence and terror; but as to gentle, polished facetiousness, you may remember numerous specimens of it in one harangue which was delivered before the people in as great an assembly, and important a trial, as ever existed, yet no speech was ever more happily seasoned with wit and agreeable

^a A spot.] The original has it *rutis casisque*, which is a technical term in the civil law.

In rutis casis ea sunt quæ terra non tenentur quaque operi structili tectore non continentur. Dig. T. de Verb. sig. 241.

able humour. I mean our friend's late reprimand against his colleague, when censor. Therefore, Antony, I agree to both your propositions; that gentle wit is often of great service in pleading, and that it is absolutely incommunicable by any art. One thing, it is true, I am astonished at, that you have so highly extolled me in this respect, and have not given the preference in this, as well as in other points, to Crassus. Why that I would have done, says Antony, were it not that I somewhat envy that gentleman. For though wit and raillery in themselves are not much to be envied, yet for a man, as he does, to engross the merit of being the most elegant and polished of his age, when at the same time he has that of being the gravest and the severest person alive, seems to me quite intolerable. Crassus himself could not forbear to smile at this. But Julius, replies Antony, though you deny that wit is an art; yet, in the opening you made, you seemed to hint at some rules that ought to be observed with regard to it. For you said that some respect ought to be had to persons, circumstances, junctures, lest a joke should lose the effect you designed it should have, which is the particular care of Crassus. But we may leave this rule, since these gentlemen have no occasion for it. Our business is now to enquire in what manner to apply wit, when there is occasion: for instance, against an antagonist, especially if he gives us any advantage to attack his folly; against an evidence, whom we may represent as foolish, Q 3 avaricious,

avaricious, slight, provided the audience is likely to hear us with any degree of satisfaction. Witty answers have a much better effect than attacks, because the wit of a reply discovers more quickness of parts; and, as it is by way of retort, it carries along with it more good breeding. For it is still to be presumed, if one is not attacked, that he would have been quiet; as in the harangue I have mentioned, our friend here scarce said one witty thing, but by way of answer: yet such was the gravity, such the authority of Domitius, that it appeared more easy to avoid his objections by turns of humour, than to invalidate them by strength of argument.

CHAP. LVII.

How then, remarks Sulpicius, shall we permit Cæsar, who, (though he has yielded the prize of wit to Crassus, yet has laboured much more in that study) not to explain to us the whole nature of wit; what it is, and from whence derived; especially since we all agree that the power and utility of wit and polite conversation are so very great? But, answers Cæsar, what if I should agree with Antony, that an orator can never be witty by rule? Sulpicius making no reply to this; no more, says Crassus, can he be instructed by rule in those points which Antony so much enlarged upon. They are attained, as he himself

himself said, by observing those properties which have the greatest effect in speaking; and, could this make a man eloquent, who would be otherwise? For every man might with ease, or at least by some method or other, make himself master of such observations. But I am of opinion that the force and utility of those precepts lie in this; not that art can direct us how to invent what we are to say, but that when we have attained to such properties, by nature, study, or practice, we may then be able with judgment to distinguish the good from the bad, after we have learned how to apply them. Therefore, Cæsar, I must beg it as a favour, that you will discuss this system of humour, and give us your opinion upon it, lest any part of eloquence, since you will have it so, should be omitted in such a company, and in so accurate a conversation as this. Nay, Crassus, replies the other, since you insist upon your guests paying their reckoning, I never will be the man, who shall give you any pretence for refusing your due by withholding mine. Though I have very often been surprised at the impudence of those fellows who act upon the stage while *Roscius* is a spectator. Where is the man who can so much as move, without his discerning a fault in him? In like manner, in the hearing of Crassus, I have now begun to speak upon wit; and though, as the saying is, I am but a boar in comparison of him, I am to teach an orator, who lately, in the hearing of Catulus, said that all other speakers seemed to have fed upon straw. Says

Crassus, Catulus was but jesting, especially as his own eloquence is such as deserves to be fed with ambrosia. But, Cæsar, do you go on, that Antony may proceed to finish the rest of his discourse. There is very little of that to come, says Antony; but as I am now fatigued with the toil and journey of disputation, I will rest and refresh myself with the conversation of Cæsar, as if I were in some happily-situated inn.

CHAP. LVIII.

BUT, says Cæsar, you will have no reason to boast of the goodness of my entertainment; for as soon as you have tasted of the least morsel, I will turn you out of doors, and send you forward on your journey; and not to detain you too long, I will in a very few words lay before you my opinion of this kind of speaking. In regard to ridicule, we are to consider five things; first, what it is? secondly, whence it is? thirdly, whether it ought to be the orator's interest to excite ridicule? fourthly, to what degree? fifthly, what are the sorts of *ridicule*? As to the first, what ridicule is? By what means it is raised, wherein it consists, in what manner it bursts out, and that so suddenly too, that, however desirous, we are unable to stifle it, and in what manner it instantaneously affects our sides, our mouths, our veins, our countenances, and our eyes. These

These particulars let ^b Democritus explain; for they are neither to my present purpose, and though they were, yet I should not at all be ashamed to say, that I did not know them; for even they who pretend to account for them know nothing of the matter. But to the place, and, as it were, to the province of *ridicule*, for that comes next in question, belongs *meanness* and *deformity*. For the only, at least, the chief, expressions that raise ridicule are such as ^c characterise and point out with elegance, somewhat that is itself inelegant. But, to come to the third point, it is evidently an orator's interest to raise laughter, both because the good humour into which he puts the audience procures him favour; and the smartness that is often contained in one word is universally admired; (especially if it comes in reply, and often when it is thrown out in the attack;) and because it lessens, confounds, perplexes, frightens, and confutes the opponent; and as it shews the orator himself to be a man of politeness, learning, and good breeding; but above all, because it mitigates sorrow and severity; and allegations of base actions, which cannot be refuted by proofs, are often rendered

^b Democritus.] There is a joke in this expression, for it alludes either to Democritus the famous laughing philosopher, or an eminent physician then living.

^c Characterise and point out.] This is the same expression which he uses in the first oration against Catiline. *Catilina notat & designat oculis ad cædem unumquemque vestrum*. See the Orations translated, vol. 2. p. 4.

rendered ineffectual by laughing at them. But to what degree *ridicule* is to be excited by an orator, which was the fourth thing we proposed to examine, is a matter worthy his most serious attention. For neither a villain, eminently flagitious, nor a wretch remarkably harassed with misfortunes, is a proper subject of ridicule; because *villains* deserve to be chastised with a severer scourge than laughter; and it is indecent to insult the *miserable*, unless they are insolent under their misfortunes. But above all things, you ought to be tender of touching upon the private affections of mankind, lest you should rashly attack those who are personally beloved.

CHAP. LIX.

MODERATION, therefore, is chiefly to be observed in the indulgence of wit. And the objects that are most easily played upon, are they who are neither worthy of the greatest detestation, nor the greatest compassion. Hence it happens, that the whole subject of the ridiculous lies in the moral vices of men who are neither beloved nor miserable, nor deserving to be dragged to punishment for their crimes: when these qualities are delicately handled, they are laughed at. Deformity and personal defects are likewise commodious subjects for ridicule. But let us have in view, what ought to be the principal consideration in other respects; I mean, how far we ought to go.

Here

Here we ought to guard not only against insipid attempts at wit, but also against its degenerating into buffoonery. An orator is to avoid both extremes, not to make his jests abusive, nor scurrilous; what these mean, we shall more easily understand, when I come to speak of the different kinds of *ridicule*. For there are two kinds of humour; one arising from the subject, the other from the expression. The first is when any thing is told by way of story, as what you, Crassus, once told against Memmius, ^a *that he had eat a limb of Largius*,

^a *That he had eat a limb.*] This to an English reader is a very insipid joke: the Latin has it, *comedisse cum lacertum largii*. The joke probably arose by some affair of jealousy, on account of this Memmius making a little too free with the other's mistress, which gave occasion for Crassus to say that he had eat the arm of Largius. It must be owned that Cicero has not at all been obliged to his commentators for illustrating his witty sayings, though it is very true that sometimes they cannot be deciphered. I do not know if this joke will appear with better grace by observing what none of the commentators have done, that when a man very eagerly kissed any part, he was said in Latin to bite, or to eat it. And if we are to judge by some circumstances, they were so very eager, as sometimes to make the blood follow by a hearty kiss. See what Horace says, ode 13. lib. 1.

*Sic puer furens
Impressit memorem dente labris notam.
Non, si me satis audias,
Speres perpetuum, dulcia barbare
Ludentem oscula; quæ VENUS
Quinta parte sui nectaris imbuil.*

I have

Largius, when he quarrelled with him at *Tarracina* about his mistress; the whole story, though witty, was invented by yourself; you added one circumstance, that all over *Tarracina* the following letters were written upon the walls, M. M. L. L. L. that when he asked what these meant, an old townsman answered you, *mouth*ing *Memmius* *lops Largius's limb*. You may perceive how delicate, how elegant, how rhetorical this manner is; whether the story be founded in truth, which must yet be sprinkled with a little fiction: or if the whole be unfounded. But the property of this kind is, that the actions, the manners, the speech, and all the looks of the person you are talking of, are expressed so lively, as that the company thinks they are seeing him act every thing in person. Another kind of the ridiculous, taken from the subject, consists in what uses to be taken from imitating a certain awkward affected manner in the person you play upon. As *Crassus*, when he called out; BY YOUR QUALITY: BY YOUR BLOOD: nothing in these words could have raised a laugh in the assembly, but the humorous

I have endeavoured to preserve somewhat of the humour of the original in my translation; I should not have been a bit ashamed had I been obliged to have left it untranslated. I have only this to say for the translation of this, and the witticisms which follow, that if they do not read so well to us in English, as they did in Latin in the days of *Cicero*, yet at least they read as well as any literal translation could do. However, that the reader may have the pleasure of finding out the wit of this passage himself, I must inform him that the original is *lucrat lacertum LARGII mordax MEMMIUS*.

morous imitation, or the look and tone. But when he came to, BY YOUR STATUES, and enlivened it with a little action, by stretching out his arm, we laughed excessively. Of this kind is that, where *Roscius*, in the character of an old man, says, *for you, my Antipho, I plant these; here*

^a *For you, my Antipho.*] These seem to have been the words of an old man planting trees, and telling his son, that himself could not live so long as to see these trees come to maturity; but that he, as being a vigorous young man, would reap the fruit of them. What *Crassus* adds, *senium est, cum audio*, means that *Roscius* so perfectly imitated a coughing old man with a broken, trembling voice, that one would have thought he heard the old man himself, and not a player acting the part of the old man. *Pearce*.

As this learned gentleman lays down this only as a conjecture, I hope I may be indulged in another; I am apt therefore to think, that the words *senium est, cum audio*, are a part of the line here quoted: and that when *Roscius* pronounced this line, it was not in the character of an old man, but of a young fellow ridiculing his father's words. If we take it in this sense it gives a much greater spirit to the line. For we are to observe, that *Cicero* is here giving an example where a little action enlivens the imitation. Therefore, if we suppose that *Roscius*, in the character of that young fellow, imitated the manner of an old man planting, and then returning all at once to the character of a young man, gives a much stronger example of the species that *Cicero* is here describing, than if we suppose, with *Dr. Pearce*, that *Roscius* then played only the part of an old man in the play.

We have an example very parallel to this in the *Frogs* of *Aristophanes*, the first scene of the play, where *Bacchus* and *Xanthias* are brought upon the stage. The first complains heavily of a severe load he was obliged to bear, while the other rallies him, and tells him that he never saw the actors upon

here *I feel old age itself*. But in the mean time, this species of ridicule must be handled with great caution. For when one over-does it, he becomes a buffoon, and runs into indecency. But an orator should not be a mimic, but appeal more to the understandings than to the senses of his audience. He likewise keeps up to the character of good breeding and modesty, by shunning all indecency in action or expression. This is that species of RIDICULE which arises from the *subject*, and constitutes ^f that humour, wherein, the manners

upon the stage carrying the vessels which their parts required them to bring upon the theatre, without feeling himself more than a year older than he was.

ὡς ἔγωγε θεώμενος,
Ὅταν τι τῶν τῶν σοφισμάτων ἴδω
Πλεῖν ἢ νιαυτῶ πρεσβύτερος ἀπερχομαι.

^f *That humour.*] As Cicero in this, and other passages, uses several terms, for every one of which we have not a proper word in English; and as I have translated them as I thought the genius of our language required, I shall give the reader the criticism of a great ancient upon each of the expressions made use of here. It is that of Quintilian, in lib. 6. cap. 3. de Inst. Orat.

Pluribus autem nominibus in eadem re vulgo utimur: quæ tamen si diducas, suam propriam quandam vim ostendent.

Nam Urbanitas dicitur: quæ quidem significari video sermonem præ se ferentem in verbis, & sono, & usu proprium quemdam gustum urbis, & sumptam ex conversatione doctorum tacitam eruditionem: denique cui contraria sit rusticitas—Venustum esse, quod cum gratia quadam & venere dicatur, apparet.——Salsum in consuetudine pro ridiculo tantum accipimus; natura non utique hoc est, quanquam & ridicula oporteat esse salsa. Nam & Cicero, omne quodsalsum sit, ait esse Atticorum: non quia sunt maxime ad risum compositi: & Catullus cum dicit.

Nulla

manners of mankind are so represented, as that their qualities may be known to be real in any narration, or, by slightly mimicking, their vices may be exposed to ridicule.

CHAP.

Nulla in tam magno est corpore mica salis:

Non hoc dicit, nihil in corpore ejus esse ridiculum. Salsum igitur erit, quod non erit insulsum, velut quoddam simplex orationis condimentum; quod sentitur latente judicio velut palato, excitatque & a tadio defendit orationem. Sane ut ille in cibis paulo liberalius aspersus, si tamen non sit immodicus, affert aliquid propriæ voluptatis: ita hi quoque in dicendo habent quiddam quod nobis faciat audiendi sitim. Facetum quoque non tantum circa ridicula opinor consistere. Neque enim diceret Horatius Facetum Carminis Genus Natura concessum esse Virgilio. Decoris hanc magis, & exulte cujusdam elegantia apellationem puto. Ideoque in epistolis Cicero hæc Bruti refert, verba: næ illi sunt sunt Pedes faceti, ac deliciis ingredienti molles. Quod convenit cum illo Horatiano, Molle atque facetum Virgilio.

Jocum vero accipimus, quod est contrarium serio. Nam & fingere & terrere, & promittere, interim jocus est. Dicacitas sine dubio à dicendo, quod est omni generi commune, ducta est: proprie tamen significat sermonem cum risu aliquos incessentem. Ideo Demosthenem urbanum fuisse dicunt, dicacem negant.

“ We commonly make use of several words to express the same thing, but if you examine you will find each of them to have its own particular signification. Thus by *urbanitas* is meant a polite discourse, which in its words, accent, and use discovers a certain delicate taste joined to a secret tincture of learning taken from the conversation of men of letters, and so is opposed to *rusticitas*.

“ By *venustum* is meant what is spoken in a graceful delicate manner. The *salsum* in an ordinary discourse is only applied to the *ridiculous*: but this is not founded in nature, though it is necessary that whatever is ridiculous should be *witty*. For Cicero attributes all wit to the Athenians, not because they were peculiarly adapted to laughter. And Catullus,

“ when

CHAP. LX.

RIDICULE arises from the language, when it is excited by a play upon a term or its meaning: and as we recommended in the former kind to avoid mimicry, either as to the relation or imitation; so in this, the orator is, by all means, to avoid whatever borders upon the character of a punster. For what difference do we find betwixt a

Crassus,

“when he says, *There is not one grain of salt in so huge a body*, does not mean, there was nothing *ridiculous* in her body. Therefore the salt of a discourse is that natural seasoning, which prevents its being insipid; and which upon deeper reflection leaves as it were a relish upon the palate; enlivens the attention, and preserves the oration from creating a laugh. And as salt, though pretty liberally sprinkled on meat, if not excessive, affords a pleasing relish; so in speaking, this salt has somewhat so pleasing, that it raises a desire of hearing more.

“I think likewise that the *facetum* is not used in the *ridiculous* only; for Horace would not make the character of Virgil to be *facetum*, if that were its meaning. I think rather that it signifies a genteel and elegant manner. And thus Brutus used it, as Cicero shews in one of his epistles, *Næ illi sunt pedes faceti ac deliciis ingredient molles*; which agrees with that expression of Horace.

Molle atque facetum Virgilio.—

“By the word *jocum* is meant what is contrary to seriousness; for to feign, to affright, and to promise, is sometimes *jocus*.

“The word *dicacitas* comes without doubt from the verb *dico*, and is common to all these kinds; yet it properly signifies a discourse that causes laughter, therefore Demosthenes is said to be Urbanus, and not Dicax.”

S

Crassus, a Catulus, and the like, and your acquaintance Granius, or my friend Vargula? Indeed I cannot conceive any, for they are both of them professed *wits*. No man is more garrulous than Granius; but in my opinion, the *characteristical* difference lies, in not always thinking ourselves *obliged* to say good things, when we *can* say them. A short man who was to give evidence, appeared in court; *Permit him*, says Philip, *to give his evidence*: But pray, says the delegate, who wanted to be gone, *let him be very short*. *Why, you see he is very short*, says Philip. This was humorous; but L. Aurifex, who was more of a dwarf than the witness himself, sat upon the bench, and the whole laugh went against the judge, which rendered the joke indecent. Therefore, when your wit wounds a person whom you wish it should not, the point of it is no excuse, when it is indecent. Appius affects wit, and, indeed, is witty, yet he sometimes falls into indecorum. *“I will sup with you*, said he, to my friend Sextius, who has but one eye, *for I see there is one wanting*; this was indecent, both by being insolent, and applicable

“This was humorous.] It is but just that we give the reader the wit of the original, lest he find none in the translation. *Pusillus testis processit. Licet, inquit rogare, Philippus? Tum quæsitior properans, modo breviter. Hic ille, non accusabis; Pusillum rogabo.*

“I will sup.] Orig. *Cænabo apud te, uni enim Locum esse video. Lava Manus & Cæna.*

R

applicable to every man who wants an eye; and lost a great deal of its effect by appearing premeditated; but how pretty was the instant retort of Sextius. *But you must have clean hands*, said he, *before you sit down*. It is therefore a regard to time, moderation in the indulgence of wit, the being temperate and sparing in saying *good things*, that distinguishes an *orator* from a *buffoon*; because, when we say a good thing, it is not merely for the sake of the joke, but to do some service to our cause; whereas they spend whole days upon this, and have no cause to serve at all. For what did Vargula gain when A. Sempornius, while a candidate, and his brother Marcus embraced him? ¹*Boy*, said he, *drive away the flies*. All he sought was a laugh, which in my mind is the poorest wit. The time therefore of saying *good things* must be directed by *good sense* and *good manners*: I wish these could be reduced into an art, but nature will always predominate.

CHAP. LXI.

LET us now explain in a few words those kinds that are most effectual in raising a laugh. The first division of them is, That all witty sayings

¹ *Boy, drive away the flies.*] Orig. *puer, abige muscas*; in Latin *musca* is figuratively used to signify an impertinent, troublesome fellow.

ings have their point sometimes in the *subject*, sometimes in the *words*; but the greatest pleasure is when the *ridicule* arises from the agreement betwixt the *thing* and the *words*. But beware, that when I touch upon a topic proper for ridicule, it is generally proper for very noble sentiments. All the difference is, that dignity must be strictly preserved, where the subject is laudable; and *ridicule* takes place in *little*, *mean*, and what we may suppose to border upon vice. Thus in the same words I can praise a servant if he be *honest*, and play upon him if he is a *rogue*. What Nero long ago said of a pilfering slave was humorous enough: ²*That he was the only servant to whom nothing in his house was either sealed up or concealed*. Now the same thing, in so many words, might have been said of a good servant. But they all arise from the same subjects. For how noble, how fine, was what the mother of Carvilius said to him, when he was ashamed to appear in public on account of his lameness, occasioned by a wound which he received by fighting for his country: *Why do not you, my son, appear abroad,*

² *That he was the only servant.*] Orig. *solum esse, cui domi nihil sit nec obsignatum, nec oclusum*. The Romans in their houses had a way of sealing things up, especially bottles and casks.

¹ *Why do not you, my son.*] Cicero appears so extremely fond of joking, that he has in many passages robbed the Greeks of their wit to give it to his own country. Plutarch, who wrote

abroad, since every step you make puts you in mind of your bravery? This was of the noble, and of the serious kind. But what did Glaucia say to Calvinus, who was lame? *Where is that old fellow^m lame? and in mind he is the same.* This is ridiculous: yet both these jokes are drawn from an observation of the same imperfection. *He is more knavish than Nævius,* was a severe saying of Scipio. But to one who has a bad smell about him, what Philip said was humorous: *I perceive, sir, I am caught, and that*

long after Cicero, and who never would have ventured to have replaced these sayings to the Greeks, had he not been warranted by unquestionable authorities, has restored several of these to their true owners. In his *Apothegms of the Spartan Dames* he tells us a story somewhat of this nature; and another betwixt Alexander and his father, almost to the same purpose with this. However, it must be owned that the manner in which Cicero introduces this saying makes it one of the prettiest in all antiquity.

^m This wit, which is only a cold pun, turns upon the ambiguity of the verb *claudico*, which was applied to express both a lame and a depraved man. Calvinus it seems was as lame in mind as he was in body. E.

^a *He is more knavish than Nævius.*] Orig. Quid hoc NÆVIO IGNAVIVS?

^o *I perceive sir, &c.*] Orig. Video te a me circumveniri. Cæsar says, that these two jokes of Scipio and Philippus, consist in the alteration of a single letter of the same word. In Scipio's, the words Nævius and ignavius sound much alike, and the letters that compose them are almost the same. But in this joke of Philip's, what word is like *circumveniri*, I am quite at a loss to say. It therefore can be no joke, unless we read with some vulgar editions, and Lambinus and Stephanus, *Video me a te non CONVENIRI, sed CIRCUMVENIRI.* Take notice reader, that

that by a goat: yet both kinds consist in the alteration of a single letter of the same word. Equivocal sayings are esteemed as being of the wittiest kind, but they are not always employed in jests, they are sometimes applied seriously. When Africanus the elder was fitting a crown upon his head at an entertainment, and it had several times broke as he was adjusting it; *No wonder that it does not fit,* says P. Licinius Varus, *for the head is great.* This was grand and noble. Another of the same kind is, *he is bald enough*

that this is spoken against a fellow who had a bad smell; and the meaning is, as your breath has such a stench, as often as you meet me you don't seem to meet me, but to be contriving somewhat to my prejudice, and to over-reach me. Pearce.

I own that I cannot find out the wit of this saying by admitting this learned gentleman's reading. In my opinion it scarcely smells of a pun, far less of wit, or a joke. He asks what word is like *circumveniri* in this joke? Cæsar has accounted for that; you need but change one letter, and you have the whole of the wit; for if instead of *circum* you read *hircum*, the smell of which every body knows was proverbial among the Romans, you have, if not a joke, yet somewhat that looks like a pun. It is surprising that so easy an observation as this should have never been made upon this passage; and that it should have reduced so many learned men to call in a reading which I do not find they pretend is supported by any manuscript.

The wit of this paltry pun, which appears to have baffled all the commentators, consists in the similarity of *circum* (which was pronounced *kirkum*) to *hircum*, a goat, an animal proverbial for its ill scent. E.

^p *No wonder.*] Orig. Noli mirari si non convenit, caput enim magnum est.

^a *He is, bald enough.*] Orig. Calvus satis est quod dicit parum.

enough of all conscience, for he talks very little. In short, there is no kind of wit, in which both severe and serious things may not be said from the same subject; and likewise we are to take notice, that every thing that is *ridiculous*, is not refined wit. For what can be more ridiculous than Sannio? But his mouth, his face, his mimicry, his voice, in short his whole body is laughter itself. I might call him *witty*, but then his wit is not of that kind which I would recommend to an orator, but to a player.

CHAP. LXII.

WHEN a laugh therefore is raised in the first kind, which is the greatest source of laughter, and consists in representing the morose, the superstitious, the suspicious, the vaunting, the foolish, that laugh is not owing to our wit, for these qualities are in their own nature ridiculous: And they are characters which we do not use to represent, but to lash. With respect to the other kind, which by imitation becomes extremely ridiculous, we ought never to indulge ourselves in it; but if we ever use it, it should be as it were by *stealth*, and *cursorily*; otherwise it is far from good breeding. The third, which consists in the disguise of the features, is unworthy our profession. The fourth, which is *obscenity*, is not only unworthy of the *forum*, but the conversation of gentlemen. Having therefore cut off

off so many circumstances from this province of eloquence, there remains wit, which consists, as I have divided it already, in what arises from the subject or the expression. For the wit that arises from the subject will still be wit in whatever expression you cloath it; but where the wit evaporates by the alteration of the expression, then it is all contained in the first expression. Equivocal wit is the most cutting, and arises from the expression, and not from the subject; but it is not very often productive of great laughter; being rather commended as prettily spoken, and turning upon the letter. As when Titius, who was famous for his great keenness in playing at tennis, but suspected of breaking the sacred figures in the night-time, was missed by his companions in the Campus Martius; Vespa Terentius made his excuse by saying, *that he had broke an arm.* Like the saying of Africanus in Lucilius; *'What, Decius, said he, will you push hard?* Like Granius, your friend, Crassus, who said *he had not a farthing.* The man of sheer wit, as we call it, is most eminent in this kind; but there are other kinds that raise more laughter. The equivocal, as I have observed before, is chiefly recommended by itself, for it seems to be somewhat for one to give a signification to a word, different from its common acceptation: but it rather produces admiration than laughter, except

Orig. Quid, Decius, nuculam an confixum vis facere inquit?

R 4

except when it happens to class with another kind of *ridicule*.

CHAP. LXIII.

I WILL run over these kinds; but you know that the most eminent kind of the *ridiculous* is where, expecting to hear one thing, we meet with another: here our disappointment makes us laugh at ourselves: but if somewhat of the *equivocal* is thrown in, the wit is heightened. Thus a man in Nævius, pitying a man carried to be sold upon a judgment for debt, he asked, '*For how much is judgment gone against him?*' He was answered, '*for a thousand pieces*. If he had only added, *you may bring him*, it would have afforded unexpected laughter; but as he answered, *I add no more, you may bring him*, he used an *equivocal* expression, and thus altered the ridicule, and, in my opinion, made it more pointed. The wit is also very pungent, when in a dispute you lay hold of one of your antagonist's expressions; and, as Catulus did upon Philip, play upon him with his own weapons. But as there are more kinds of the *equivocal*, which require to be more delicately discussed, we must watch, and, as it were, catch at words. And here, though, we avoid all frigid expressions, (for we must by all means guard against any thing that is forced)

yet

* *For how much.*] Lat. *Quanti addicus?* *Mille nummum.*—*Nihil addo; ducas licet.*

yet we may have a great many witty things to say. The other kind consists in a small alteration of a word, generally of one letter, called by the Greeks *paranomasia*: as Cato, when he said that the '*nobility* were the *mobility*. Or when, as he said to a certain person, "*no, let us go to walk*"; and the other replied, '*What occasion is there for DE?*'* But the other replied, '*There is occasion for TE.* *What occasion is there for YOU?*' said he. Or when he had answered thus, '*You are lewd both behind and by KIND.* Why is such a man called so and so? The explanation of a name has smartness in it, when you turn it into the *ridiculous*; as I did lately when I said that Nummius the beadle, like Neoptolemus of Troy, had found his name in the Campus Martius.

CHAP. LXIV.

BUT all these rest upon the word. A line too is very often thrown in very facetiously, either as it really stands, or with a little variation; or some

* *Nobility, mobility.*] Lat. *Nobiliorem, mobiliorem.*

* *Do let us, &c.*] Lat. *eamus deambulatum.*—*Quid opus fuit DE?*—*Quid opus fuit TE?*

* The preposition *de* before *ambulatum* was unnecessary; but when asked what need there was for it, he parried off the question by its resemblance to *te*. *Nay, there is need of thee.*

* *You are lewd.*] Lat. *Si tu & adversus es impudicus.*

some part of a verse, as Statius said to Scaurus, when he was angry; a joke, Crassus, from which some people say your law upon enfranchisements took its rise. *Silence there! what a rout you make! It ill becomes you to be so confident, who have neither father nor mother. For shame, no more of that pride.* A saying of this kind, Antony, was likewise of great service to your cause, with regard to one Caelius, who had a very handsome son, who declared that he had been forced to pay a sum of money as he was going off. *Do you think the old fellow is tricked of thirty pieces?* said you. Proverbs are ranked under this head; as Scipio, when one whose name was Ass, said, in a boasting manner, *that he had served as a soldier all over our provinces. You talk like an ass,* said he. Therefore, those kinds too, because when translated into other words, they lose their wit, are reckoned not among the jests where the wit turns upon the subject, but upon the expression. There is a kind likewise which is not at all insipid, as it turns upon words by seeming to understand a matter by the *literal expression*, and not by the *obvious meaning*. One Tutor, an old player, a very comical fellow, ran quite into this way. But I have done with players; I only want to point out this kind of joking by some remarkable, notorious instance. And, Crassus, I cannot do better than mention what

² *Do you think the old fellow.*] Lat. *Sentin' senem esse taetum triginta minis?*

what you lately said to one who told you, *he hoped he would not be troublesome, if he come to you a good while before break of day.* By no means: Then, said he, *shall I order you to be awaked?* Surely, said you, *you forgot you told me you was not to be troublesome.* Of the same kind was that which the famous M. Scipio of Maluga, when he declared that Acidinus, one of his own century, was consul. When the cryer ordered him, *DECLARE your sentiments respecting L. Manlius.* Scipio answered, *I DECLARE that I think him a good man and a worthy citizen.* It was comical enough of L. Porcius Natica to Cato the censor, when the latter asked him, *Have you upon honour a wife.* He answered, *I have not a wife upon honour.* These are either quite insipid, or they have some point when not expected; for, as I have before observed, we naturally take pleasure in things which surprise like these, and this makes us laugh, when we are, as it were, balked in our expectation.

CHAP. LXV.

THAT species which changes from literal to allegorical, or answers according as you place one word, or invert several, is, altogether, of the verbal

² *Declare your sentiments.*] Lat. *Dic. de L. Menlio.*

³ *Have you upon honour.*] *Es tui animi sententia.*

bal kind. An example of that which shifts from the *literal* to the *allegorical*, is what M. Servilius formerly said to Rusca, when he passed the qualification act: *Tell me, M. Pinarius*, said he, *if I should oppose you will you rail at me as you have done at others? According as thou sowest*, replies the other, *so shalt thou reap*. An example of the transposition of words, was when the Corinthians offered to erect a statue to the elder Scipio, in the same place with those of their other generals; he said, *that he did not like troops*. As to the inversion of words; when Crassus was pleading for Aculeo, before M. Perperna, L. Helvius Lamia, who you know has a very deformed figure, was counsel against Aculeo for Gratidianus; and when he had made several impertinent interruptions, *Let us hear*, said Crassus, *the charming youth*. When this raised a laugh; *I cannot*, said Lamia, *mend my figure, but I can my understanding*. Now let us hear, replies Crassus, *the man of eloquence*: and here was a greater laugh than before. Such hits are extremely agreeable, both in serious and facetious sentiments. For I have observed long ago, that though the subjects of jest and earnest were different, yet that the manner of treating both was the same. One of the principal ornaments of a discourse is the *antithesis*, where words are in contrast with one another: this kind is very often humorous; as when Servius Galba made his bottle-companions judges, while Lucius Scribonius was tribune of the people; Libo asked him,
When

When Galba, will you leave your own dining-room? Whenever, answered he, *you leave another's bedchamber*. The saying of Glaucia to Metellus, was much of the same kind; *you have a country-house at Tiburtinum, but its court is at the Palatium*.

CHAP. LXVI.

I now think I have discussed verbal wit; but, as I said before, that which arises from *subjects* is vastly more copious; of this kind is the narrative of a subject, a matter of great difficulty. For those circumstances that appear most plausible must be expressed, and that too to the life, this is the peculiar excellence of a narrative, as likewise must all the circumstances that have any thing mean in them; this is proper to the *ridiculous*. The shortest example of this that I can think on, is that which I mentioned before of Crassus to Memmius. To this kind we must refer the narrative of fables. Somewhat of this kind too may be brought from history; as when Sextus Titius called himself a Cassandra; *I can name*, said Antony, *many an Ajax Oileus for you*. It likewise arises from similitude, either by way of *comparison* or *resemblance*; as that Gaul, who was formerly evidence against Piso,
 and

^b *Ajax Oileus*.] He, according to the Greek story, ravished Cassandra.

and said, *that he had given a vast deal of money to his Lieutenant Magius*; and when Scaurus alledged, in opposition, the poverty of Magius: *You mistake me, Scaurus*, said he, *I did not tell you that Magius had hoarded that money up, but like a naked man, gathering nuts, he put it into his belly.* As when old Marcus Cicero, the father of the same excellent person who is our friend, said, *that our countrymen were like the Syrian slaves, the more Greek they knew, the greater rogues they were.* Representations of deformity, or any defect in the person, when represented by any object still more deformed, are likewise extremely ridiculous: as when I said to Helvius, *now I will shew you what you are like.* And *what am I like?* replied he. See there, said I, pointing to a Gaul painted upon one of Marius's Cimbrian shields, all distorted, with his tongue lolling out, and his chops fallen. This got the laugh, for nothing ever appeared more like Mancia. Of the same kind was a joke passed upon Testius Pinarius, who, when he spoke, seemed always to be chewing, *that he would make an end of his speech when he had cracked his nut.* Hyperbolical sayings, either when they magnify or diminish, excite incredible surprise. As when you, Crassus, said, *that Memmius was so lofty in his own eyes, that when he came into the forum he stooped as he passed*

^c *An object still more deformed.*] We have got a term for this from the Italians, viz. *caracutara*.

passed through the Fabian arch. Or when Scipio said at Numantia, when he was angry with Quintus Metellus, *that the next child his mother bore would surely be an ass.* The meaning is likewise very shrewd, when from a very small circumstance, often by a word, a dark, concealed matter is cleared up. As when P. Cornelius, a man whom the world looked upon as both covetous and knavish, but a very brave man, and a good general, returned his thanks to C. Fabricius for making him consul, though he was his enemy, especially in a great and important war. *Why should you thank me*, said the other, *for chusing rather to be pillaged than sold?* Like what Africanus said to Asellus, while he was upbraiding him with his unfortunate censorship: *No wonder*, said he, *that it was unfortunate, for the man who took off your attainder made up the rolls, and sacrificed the bull*; so strongly did he presume that the perjury of Memmius had affected the state, by taking off the ignominy of Asellus,

CHAP. LXVII.

It likewise exhibits refined humour when your meaning and your expressions differ; I do not mean that kind where your meaning is quite the reverse of your words, as in the case of Crassus to Lamia, but when a serious vein of humour runs through a whole speech, by meaning one thing, and

and saying another. * As our friend Scævola said to Septimulcius of Anagnia, the same who was paid thereward for the head of C. Gracchus, when he begged he would carry him along with him, as his lieutenant, into Asia. *Why, you are mad!* said he, *what do you mean?* *I tell thee there is such a number of profligate citizens in Rome, that, believe me, if you remain here you will make your fortune in a very few years.* Fannius in his annals informs us, that Africanus Emilianus was a wit of this stamp, and styles him by the Greek name of Eiron. But people who know these things better than I do, say, that Socrates, I think, by far excelled all mankind in the wit and good sense of this *irony* and *dissimulation*. It is indeed wit of a refined kind, and when seasoned with a serious air, may be applied both in formal harangues, and common conversation. And, indeed, all that I have said upon the subject of humour, is not more properly adapted to season pleadings in the forum, than it is common conversation. For I think it is a very sensible thing that Cato, from whom I have borrowed a great many of the examples I have laid down here, said, that P. Mummius *was a man fitted for all times and characters*. In short, the case is, that there is no occasion in life in which it is unbecoming to use wit and good humour. But to resume what I was upon; very much of this kind is that where a decent term is used to express a base idea. As when Africanus the censor was removing from his tribe a centurion who had not

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been

been present at Paulus's battle, and who excused himself, by saying he had stayed behind to watch the camp; it was asked of Africanus why this man was branded? *I do not admire,* said he, *your watchful people.* It is likewise a cutting kind, when you lay hold of what the other person has just said, and turn it contrary to the sense in which he meant it. As when Salinator lost Tarentum, but kept the citadel, and made a great many brave sallies from it; some years after Maximus recovered the town, and Salinator bid him remember that it was by his assistance that that he had won it: *I may well remember it,* said Maximus, *for I could never have won it if you had not lost it.* These are likewise ^a absurd, but for that reason often very ridiculous, and fit not only for players, but in some measure for us; for instance; *he was fool enough to die just as he came to an estate.*—Again, *what is that woman to you?*—*your wife*—*you are like one another, by heavens!* Again, *while he trudged about he never died.*

CHAP. LXVIII.

THIS species is trifling, and, as I said, *farcical*; but it sometimes takes place with us; so that one who is no fool may say a smart thing, as it were

^a *Absurd.*] The species mentioned here is precisely what we in England call *bull's*.

were in a simple manner: as what Mancina said to you, Antony, when he had heard, that when you was censor, you was impeached of *undue practices*, by M. Duronius: *So! I see that you may some time or other act for yourself.* Such sayings occasion great laughter, so indeed does every witty thing that is said by men of sense, under pretence of not understanding what one does understand. Of this kind was what Pontidius said, when one asked him, *what do you think of a man who is caught in adultery?* *Why,* answered he, *I think him a careless fellow.* As when Metullus would not excuse me in a levy he was making, though I pleaded a disorder in my eyes; *what,* said he, *do you see nothing at all?* *Yes, sir,* said I, *I can see your country house from the^e Esquiline gate.* Like what Nasica said, when he came to the house of the poet Ennius, and, when he called for him, was told by the maid at the door, that he was gone abroad; Nasica was sensible that the other was at home, but that he had given the maid orders to deny him; and a few days after, when Ennius came to his house, and asked for him at the gate, Nasica himself called out to him that he was not at home: *what,* said Ennius, *do not I know your own voice?* *Art not thou a very impudent fellow?* said the other; *when your maid told me that you was not at home I believed her; but you will*

^e *Esquiline gate.*] This was a very fine stroke, for Metullus had built a noble country-house, and was liable to be called to account for the money he had laid out in building it.

will not believe that I am not at home, though I tell you so myself. It is likewise lively when a man is rallied in the very strain in which he rallies another. As when Q. Opimius, a *consular*, who was a young man of an infamous character, attacked Egilius, a man of wit, but one who appeared more effeminate than he really was: *how do you do my lovely EGILIA? When will you come, and, bringing your work, spend an evening with me?* *You know,* replies the other, *I dare not, for my mother forbids me to associate with women of bad fame.*

CHAP. LXIX.

THOSE sayings too are witty, which contain a concealed vein of irony. Like what was said by a Sicilian, when his friend was complaining that his wife had hanged herself upon a fig-tree. *Pray, my friend,* said he, *can you get me some slips of that same tree that I may graft them in my garden?* Of the same kind was what Catulus said to a wretched orator, who thought that he had finished his speech in a very pathetic manner, and after he had sat down asked of Catulus, *whether he did not think that he excited pity in the assembly?* *Very much,* said the other, *for I will venture to say that the hardest heart here PITIED you.* For my part, I am vastly taken with a spiteful, testy humour, when it comes from a good-natured man; for otherwise

we do not laugh at the wit, but the disposition of the speaker. Therefore I think there is a very humorous stroke of this kind in Nævius, *why do you cry, father? It is a wonder that I do not sing? Why, I am cast.* The patient cool kind of the ridiculous is, as it were, opposed to this: as Cato, after he had received a blow by one who was carrying a plank, was bid by the fellow to take care; *What, have you got any thing else besides the plank there?* said Cato. A witty way of exposing dulness is agreeable too: as the Sicilian, to whom Scipio, when prætor, assigned his landlord, who was a rich man but a great blockhead, for his counsel. *Pray, my lord,* said he, *give this counsel to my antagonist, and then none at all to me.* We are likewise taken with those instances, where a thing receives an explanation in a smart, concise way, quite contrary to its meaning. As when Scaurus accused Rutilius of bribery, when the first was made consul, and the other lost his election: and in his papers pointed out the letters A. F. P. R. which Scaurus explained to be 'acted upon the faith of P. RUTILIUS; but the other insisted they signified, *anterior in fact, posterior in relation.* Caius Cannus, a Roman knight, who appeared for Rufus, called out that both of them were mistaken in the meaning of these four letters. *What do they mean then,* said Scaurus? *Why,* said the other, A. EMILIUS' FAULT PUNISHES RUTILIUS.

CHAP.

¹ Lat. actum fide P. RUTILII.—ante factum, post relatum,
—Emilianus fecit, plectitur Rutilius.

CHAP. LXX.

THE joining opposite qualities are likewise witty; *he wants nothing but money and virtue.* A friendly reprimand thrown out by way of mistake is likewise very pretty. As when Albius played upon Granius, who when he saw his own accounts appealed to for proof against Scævola, who was acquitted, seemed exceedingly well pleased, without reflecting that the same sentence had virtually condemned his accounts. Of the same nature with this, is the familiar air with which you give advice. As when Granius advised a wretched pleader, who had grown hoarse by speaking, to drink some cold honey-wine when he went home. *Why,* says the other, *that will ruin my voice: better,* replies he, *ruin that than your client.* It is likewise very pretty when one says any thing that just hits the character of another; as when Scaurus got some ill-will to himself by taking possession of the estate of Phrygio Pompeius, a man of great fortune, without any will of the deceased; as he appeared counsel for Bestia, who was impeached by C. Memmius, a funeral happened to pass by. *See there,* says Memmius, *a funeral; ah! Scaurus, could you but be the heir?* But none of these kinds is more witty than that which strikes you unexpectedly. We may bring a great number of examples of this. I shall only mention that of the elder Appius. Upon a debate in the senate with regard

to the public lands, and the Thorian law, it was like to bear hard upon Lucilius, that some of the members said, his cattle grazed upon the public lands; *you mistake*, said Appius, *they were not the cattle of Lucilius*, seeming to take Lucilius's part, *they belong to none, for they feed where they have a mind*. I am likewise pleased with the saying of that Scipio, who struck down Tib. Gracchus; when M. Flaccus appointed P. Mucius for one of his judges, after a great many reproaches, *I except against him*, said he, *for he is partial*: upon this being called to order; *ah! father's conscript*, said he, *I do not except against him as he is unjust to me, but to you all*. Nothing could be more witty than what was said by our friend Crassus here, when a hear-say of one Silus, who was an evidence against Piso, had like to have hurt him; *perhaps*, said he, *Silus, the person who you heard say so was in a passion*; Silus seemed to agree: *perhaps likewise you did not perfectly well understand him*; he signified his assent likewise to this with a low bow: *perhaps too*, continues Crassus, *you did not hear a single word of what you pretend to have heard*. This was so unexpected, that the evidence was quite confounded with a general laugh. Nævius is full of this kind of jokes; this saying is in every body's mouth; *though a philosopher, if you are cold you will tremble*. With many such sayings.

CHAP. LXXI.

YOU likewise very often humorously complimented your adversary with those qualities which he would not allow to you; as when a fellow of an infamous family said to C. Lælius, *that his actions were unworthy of his blood*: *By heavens*, replied the other, *your actions are very worthy of yours*. Witty things are often thrown out with sententious gravity; as M. Cincius, on the day when he passed the law the better to regulate rewards and fees, when Caius Cento appeared and asked him in an opprobrious manner, *what law he was passing*? *Why*, replies the other, *that every man who uses his neighbours goods should buy them*. Very often impossibilities are wished for with a great deal of wit, as M. Lepidus, while his fellows were exercising in the field, after he had stretched himself upon the grass; *I wish*, said he, *this was working*. It has likewise a very good effect, when you give a disagreeable answer with a calm air to a fellow who is questioning; and, as it were, teasing you. As Lepidus the censor, when he deprived M. Antistius of Pyrgi of his horse, and his friends were making a terrible bawling, and questioning how he could answer to his father for having his horse taken from him, since he was a most excellent, industrious member of the colony. *Tell him*, said he, *that I do not believe this*. Some other kinds are collected by the Greeks, such as curses, admirations,

tions, threats. But I am afraid the kinds I have already mentioned are rather but too many ; for those which consist in the meaning and the energy of expression, are generally fixed and definite : but these, as I have observed before, beget rather admiration than laughter. But as to those which turn upon the subject and the sentiment, their heads are but few, though the particulars are infinite. For *the ridiculous* is felt by deceiving our expectations ; in rallying the qualities of another ; or playing humorously upon our own ; by comparisons drawn from meaner objects ; by dissembling ; by throwing out designed absurdities, and reprimanding folly. The man, therefore, who desires to be a *wit*, must receive from nature a certain cast peculiarly adapted to the kinds I have mentioned ; his manners, and even his very look, must be accommodated to, and expressive of every kind of *the ridiculous* ; and the more grave and serious one's looks are, the wit has the greater effect ; as appears, Crassus, from your manner. But, Antony, as you said that you would indulge yourself by reposing in this inn, where wit, such as your own, furnishes all the entertainment, as if you were got into Pomtinum, a disagreeable, unhealthy place, I am of opinion, that you think you have rested long enough, and that you should now set out to finish your journey. Replies he, Truly, besides the friendly reception you have given me, I am now both better instructed in the nature, and more emboldened in the exercise of
joking

joking. For I am not afraid of any imputation of levity for my dealing in this way, since you have justified me by the authority of the Fabricii, the Africani, the Maximi, the Catos, and the Lepidi. But you have already heard what you wanted to know of me, at least all which required a greater degree of accuracy in expressing and conceiving ; for the other points are more easy, and they all arise from what has already been laid down.

CHAP. LXXII.

FOR when I enter upon a cause, I survey it on all sides with all the attention in my power ; and after I have seen, and comprehended the proofs that are to support my allegations, and the topics from which I am to conciliate the favour of the judges, together with those from which I am to touch the passions, then I consider with myself the strong and the weak side of the cause ; for there is scarcely any subject that can fall under debate or dispute, that has not both. But to what degree is the question. My method in speaking was usually this ; whatever I find really makes for me, that I embrace, embellish, exaggerate ; there I dwell ; to this I cling as my resting place : but from the weak and defective side I retire, though in such a manner as not to appear to shun it ; but to have disguised it with the ornaments and amplifications which I spread over
the

the strong side. And if the cause turns upon proofs, I attach myself principally to the strongest, whether complicated or single. But if the success depends upon conciliating, or affecting the judges, I then put my chief defence upon that part of it which is most calculated for gaining their affections. The whole of this lies here; if in a speech, my strength lies more in refuting my antagonist than in advancing proofs of my own, I then play upon him with all my weapons: but if it is more easy to prove my own allegations than to disprove his, I then endeavour to call the attention off from the defence made by my antagonist, and to fix it upon that which is made by myself: I then boldly lay down two things that appear most easy, because the more difficult ones are above my reach. The first is, that where a proof or an argument presses or perplexes me much, I sometimes do not speak one syllable in answer to it; some may laugh at this, for it is what every man can do; but remember I am now speaking of my own abilities, and not of another's; and I own, that if a circumstance bears hard upon me, I use to effect my retreat without seeming to fly and so far from throwing away, without shifting my shield. At the same time, when I speak, I employ a varnish and a pomp of language, and make a retreat as if it were a resistance; but, wherever I entrench myself, I do it so as to make it appear that my design is not to avoid my foe, but to occupy a firm position. There I observe what I think
ought

ought, above all others, to be guarded and provided against by an orator; and with respect to this I always felt great anxiety; which is, to endeavour not so much to do service to my cause, as to do it no dis-service; not but that we ought to endeavour at both, but it is much more disgraceful to an orator to be thought to have hurt his cause by his blunders, than not to be able to serve it.

CHAP. LXXIII.

BUT what are you whispering to one another, Catulus? Does what I say meet with the contempt it deserves? By no means, replied the other; but Cæsar appears inclinable to speak something on this head. With all my heart, replies Antony, whether his design is to confute, or to interrogate me. Says Julius, Indeed Antony, I was always one of those who gave you this character as an orator; that in your speeches you appear to me the most guarded of all mankind; and it is your peculiar excellency, that you never said any thing to the prejudice of the cause you defended; and I remember that in a large company, when I was talking with Crassus upon this very head, and he had expatiated upon the praise of your eloquence, that I said your characteristic excellence was, that you left nothing unsaid that was to be said, and avoided saying any thing that ought not to be said. I remem-
ber

ber his answer was, that you possessed other qualifications in the highest degree, but none but a dishonest pretender could be capable of speaking what was not to the purpose, and thereby injuring his client. For this reason the avoiding this did not constitute a man eloquent; but the incurring of it branded him with audacity. Now Antony, if you please, I wish you would point out your reasons for thinking why it is so praiseworthy not to injure a cause, as to class it with the highest accomplishments of an orator.

CHAP. LXXIV.

For my part, Caesar, replies the other, I will speak my opinion of the matter; but do you and all this company carry it along with you, that I do not here speak of some divinely accomplished orator, but of my own slender practice and capacity. As to the answer of Crassus, it was the answer of a noble and elevated mind, who looked upon it as a kind of miracle that any orator should injure a cause, and be prejudicial to his client by pleading. But he supposes others what he is himself, whose strength of genius is such, that he imagines no man, unless purposely, speaks what may make against himself. But what I said was not applicable to any eminent or extraordinary genius, but to men of plain common sense. Thus, among the Greeks, the famous Themistocles the

Athenian was said to have been possessed of an amazing sagacity and understanding. When a learned man of the first rank, in letters, as is said, came to him, and professed to teach him the art of memory, an art that was then just begun to be taught; the other asked him what that art could effect? It will enable you, replies the professor, to remember every thing. Upon which Themistocles told him, that he would be much more obliged to him, if he could teach him how to forget rather than to remember some things. Do not you perceive how great, and how powerful the genius of this discerning person must have been, and how much understanding he possessed? Since from his answer we discover, that nothing which had once entered into his memory could escape it: since he chose rather to forget what he did not care to remember, than to remember whatever he had only once heard or seen. But this answer of Themistocles is no reason why we ought not to cultivate our memory, neither is my caution and timidity in causes to be overlooked, because Crassus possesses the greatest good sense. For neither of them imparted any of their abilities to me, they only expressed their own. For in causes there are a great number of circumstances, which in every part of a speech are to be carefully examined, lest you precipitately stumble against any thing. Often a witness may not hurt you or hurt you but very slightly, provided he is not exasperated. The party begs, the counsel presses us, first to abuse him, to rail at him, and then examine

examine him ; I am not at all moved ; I refuse to obey, to humour, and to gratify their desires ; yet this does no honour to my character. For people without experience know better how to blame any thing you say that is amiss, than to commend you when you discover good sense by holding your tongue. In case that you should here pique a passionate, sagacious, or resolute witness, what mischief may you not do ? For his passion prompts his inclination, his understanding furnishes him with means, and his character with interest sufficient to hurt you. If Crassus does not fall into this blunder, that is not to say but that many do, and that often : at least to me nothing sounds more dishonourable than upon any word, answer, or question, proceeding from an orator, to hear this asked : *Has he knocked down the adversary ?* and then to be said, *he has knocked down only himself and his client.*

CHAP. LXXV.

CRASSUS imagines that this never can be the case, except through treachery ; but for my part, I often see men, without ill intention, do some harm in causes. For *how !* when other people do not, as I said before, with me retreat, or, to speak in plain terms, fly from what bears very hard upon their cause ; but saunter in the enemy's camp, and dismiss their own guards ; do you imagine the injury they do to the cause which

which they maintain is but slight, since by these means they strengthen the enemy's forces, or enflame what they cannot cure ? How ! when they have no regard to the character in which they act ; if they do not by their extenuations allay all the invidious part of that character, but add to the odium by vaunting and extolling it, what mischiefs does not this conduct at length produce. How ! if without guarding your language you hurl bitter and insulting invectives against persons who are dear and agreeable to the judges, must it not disgust the bench ? How ! if while you are exposing your antagonist you inadvertently provoke the court by touching upon those very vices or bad qualities with which one or more of your judges are chargeable, is that but a slight blunder ? How ! if, while you plead for another, you betray personal interest in the trial, or when you are stung, indulge in resentment, and thus lose sight of your cause, do you do no harm ? On such occasions I own I am thought too cool and passive, not that I take any pleasure in hearing myself abused, but because I take none in easily quitting the cause I support. As when I reproached yourself, Sulpicius, for attacking the agent, and not the principal. This conduct of mine is attended with one advantage, that if any one abuses me, he is looked upon as impertinent, if not a downright madman. But in opening your evidence, if you should state any thing grossly false, or contrary to what you either have said,

said, or are to say, or in its own nature distant from the practice and custom of the forum, does not that injure your cause? In short, my chief object in speaking (for I will repeat it) is to do my cause all the service in my power; and, if I cannot succeed in that, to do it no harm by being silent,

CHAP. LXXVI.

I THEREFORE now return, Catulus, to that point for which you some time ago praised me; I mean the order and arrangement of facts and topics. In this, two methods are to be observed; the first, that which the nature of the cause dictates; the other, which depends upon the judgment and good sense of the pleader. For the very nature and genius of eloquence requires us to premise somewhat before we come to the main point; next, that we prove it, by guarding all our own arguments, and confuting those of our antagonists; then to finish with a suitable conclusion. But as to the maxims that are laid down with regard to what we are to say, in order to prove, instruct, and persuade, that is the chief thing left to the good sense of the orator. A great many proofs present themselves; with several circumstances which promise to serve our pleadings; but of these, some are unimportant; and others, if in any way serviceable, are sometimes of such a nature, as to betray some flaw or other;

other; in which case the service they do is not so considerable as the mischief they bring along with them. But as to the proofs that are to the purpose, and strong, at least if, as it often happens, they are very numerous, I think it proper that the slightest, or those that are to the same purpose with others more weighty, should be separated, and set aside out of the pleading; and indeed, for my own part, while I am collecting evidence, I use rather to weigh than to number it.

CHAP. LXXVII.

WE bring, as I have often observed, others to our sentiments by three things, by *informing*, by *conciliating*, or by *moving* them. Of the first of these three particulars we ought ever to be observant, and our object should be, *to seem as if our sole view was to inform*. As to the other two, they are to a speech what blood is to a body, they ought to be diffused through the whole of all pleadings. For both the beginning, and the other parts of a speech, (a point which we shall touch upon very soon,) ought principally to share this power; that they dilate themselves so as to be able to touch the minds of the audience. But as to the parts of a discourse, which, though they do not at all inform in the *argumentative* way, yet are extremely serviceable in the *persuasive* and the *pathetic*, though they

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properly come in at the beginning, or in the close of a speech, yet, for all that, it is highly convenient, in order to touch the passions, that you make digressions from the main points, which you had proposed to discuss. Therefore, after the case is represented, after our own proofs are made good, or those of our antagonists refuted; or, in either, or in all these parts, an opportunity is often afforded for a digression, in order to touch the passions; and such a digression may be very properly introduced, if the nature of the cause is of that importance and variety as to admit it: and those causes which give the greatest latitude for such digressions, where we can introduce those topics by which the feelings of an audience are impelled, or restrained, afford the greatest room, and the fullest opportunities for exaggerating and embellishing. Now that I speak of this, I must find fault with those who place their weakest arguments first; and I think, as to this particular, they too are in fault, who, if upon any occasion they employ a great number of advocates, a custom which upon all occasions I am against, always desire him whom they think the weakest to speak first. For the very nature of things requires, that you come up, as soon as possible, to the expectation of an audience, because if they are disappointed in the beginning, the orator must labour a great deal harder in the succeeding part of the pleading, and a cause is in a bad way, when you do not prepossess the hearer with a favourable opinion of it

it at the commencement. Therefore, as in the case of orators, the best should always be employed first; so in pleading your strongest points should be first insisted upon; provided always, in both cases, that wherever the distinguishing excellence of either lies, it be kept up to the peroration. If any circumstances are but indifferent, (for we always reject those that are faulty) let them be thrown into the general mass, and huddled in the whole aggregate. Having lastly weighed all these particulars, I proceed to consider what I am to say in the first place, and how I shall set out; for whenever I wished to consider the introduction first, nothing occurred to me but what was dry, trifling, trite, and common.

CHAP. LXXVIII.

As to the introduction of a speech, it ought always to have accuracy, acuteness, sentiment, and propriety of expression, but especially calculated to the practice of the bar. For the first judgment, and, as it were, prejudice, which is formed in favour of a speech, arises from its setting out, which ought instantly to sooth and entice the hearer. Here I used to be surprised, not at those people who never applied to this business, but at Philip, a man of the first rank for eloquence and learning, who generally, when he rises up to speak, seems to be at a loss how he should begin; yet, at the same time, he says, that

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after

after the first bout, when his hand is in, then he uses to fight in earnest; without reflecting that the very people from whence he borrowed this allusion toss their first javelins with great coolness, on purpose both to make their address appear with greater grace, and to manage their strength. And there is no doubt but a pleading in its setting out requires often to be strong and spirited; but if, among men who fight for their lives, a great many flourishes pass before they actually engage, which appear to be more for parade than in earnest, how much more is this to be expected in speaking, where strength and sweetness are required to go hand in hand. There is no cause in the compass of nature, which pours itself into effect all at once, and suddenly vanishes; in like manner, nature hath disguised under gentle beginnings, the progress of the most violent commotions. But your preamble is not to be sought from abroad, nor elsewhere, but must be taken from the very essence of your cause. For this purpose, after you have felt and surveyed the whole of your cause, after you have found out and prepared all its topics, you are to consider which of them you are to employ in the preamble; it is thus easily found out; for it must

* *Where strength and sweetness.*] The vulgar editions read here *in qua non vis potius, sed delectatio postulatur*. Dr. Pearce, now Lord Bishop of Bangor, for *sed* read *quum*, upon the authority of some manuscripts. He says it is a much more usual expression: I add, it is much better sense.

must be taken from the allegations that are most fertile, either in proofs, or best adapted to those characters, into which I have said we ought frequently to deviate. Thus, it can never fail of being some way important, when it is borrowed in a manner from the main stress of our pleading; and it will thereby appear that it is not only not common, and not applicable to other causes, but shoots, and, as it were, flourishes from the cause, which is your immediate business.

CHAP. LXXIX.

EVERY preamble of a speech then ought either to give an intimation of the whole matter that is in hand, or to open and pave the way to the merits of the cause, or to serve for ornament and dignity. But, as in architecture houses and temples have their porticos and entries proportioned to them, so in pleading, the preamble of a speech ought to be in proportion to the importance of its subject. Therefore where the cause is trite and trifling, it is often most convenient to begin with the matter itself. But, as is generally the case, when the pleading requires an exordium, we are at liberty to borrow our sentiments from somewhat that regards either the party, or his antagonist, or the matter in dispute, or the judges. From the party (I call them so whose interest is at stake) we borrow whatever is expressive of a man of worth and generosity,

generosity, but unfortunate, and meriting compassion; and likewise whatever can most effectually destroy an unjust accusation. From the person of the adversary, we are to borrow almost the very opposite qualities, from the same common-places. From the matter; whether it is cruel, unnatural, happening contrary to all probability, unjust, piteous, ungrateful, unworthy, unprecedented, irredeemable, and irretrievable? But that the judges may be prepossessed in our favour, is a thing to be attained rather by pleading than by supplication. That indeed must mingle with the whole of a discourse, but chiefly in the end of it; yet the setting out often is of this kind. For the Greeks teach that we are first to render the judge attentive and tractable; though that is not more peculiar to the setting out, than to all the other parts of a discourse; but then they are most easily affected at the beginning, when the attention is most awakened, when the expectation is highest, and when the mind is most susceptible of impressions. Whatever too is said in setting out, whether by way of allegation or defence, appears with greater lustre than in the middle of a pleading. But the greatest variety of exordiums, either for enticing or moving a judge, are drawn from those topics, which, in the cause itself, are most proper for moving the passions; yet you are not to display all these in the very beginning, but you are to move the judge by a gentle impulse, so that

that the rest of your discourse may fall in with his bias.

CHAP. LXXX.

THE beginning, therefore, ought to be so connected with the subsequent part of a speech, as not to appear like the flourish of a musician, a thing detached; but like a well-proportioned member, of a piece with the whole body. For some people, after they have finished this premeditated part, make such a transition to the rest of their discourse, that they seem to demand, that the audience should suit themselves to their fancies. An orator then ought to treat a prelude, not as the Samnites do their spears, which they brandish before they encounter, though they decline the use of them in the combat; for he ought to fight armed with the very sentiments he used in his prelude. But as to the narrative, which they require to be short; if, by shortness is meant a style full without redundancy, then you have an example of it in the style of Lucius Crassus: If brevity consists in making use of just as many words as are absolutely necessary, that may sometimes indeed be expedient; but it is often very prejudicial to a narrative, not only as it renders it obscure, but likewise because it destroys the chief property of a narrative, which consists in its being agreeable, and adapted to persuade: for instance, where

of the remaining speech. You are next to state the case ; in doing which you are to have in view the point in dispute. You are then to form the strongest arguments you can to support your side of the question both by invalidating the reasoning of your antagonist, and establishing your own. For the confirming the argumentative part by evidence is a matter of singular importance in trials. But as you cannot confute your antagonist, without establishing your own allegations, nor can you establish your own without confuting his, these parts are joined both in their nature and utility. But all speeches are generally concluded with amplifications, in order either to exasperate or mollify the judge ; and all the abilities of an orator, as in the exordium, so more especially in the conclusion of the speech, are to be exerted in giving the strongest impulse to the feelings of the judges in our own favour. And, to tell the truth, I can see no reason why we should make distinct heads of the rules relating to persuasion, and those relating to panegyric. For they are for the most part of common application, yet to debate either for or against any question, to me appears a very important character. For it belongs to the wise alone to deliver an opinion upon the highest matters ; and it requires honesty and eloquence to foresee with understanding, to enforce with authority, and to prevail after debate.

CHAP.

CHAP. LXXXII.

BUT such particulars should assume less pomp in the senate ; for the senate is an assembly of wise men, where many must have liberty to speak in their several turns, and where one should avoid all affectation of wit, and all ostentation of abilities. But a public assembly requires all the energy, the weight, and the colouring of eloquence. In the persuasive, therefore, the principal character is dignity. For he who aims at utility, never considers what the person who debates most wishes for, but sometimes what is in itself attainable. For there is not a man, especially in so noble a state as this, who does not think that dignity is the most desirable character. But interest generally gets the better, when a man is afraid that, if his interest is neglected, he shall be incapable of retaining his dignity. Men either disagree respecting the utility of a question, or if they agree in this, they deliberate whether they ought most to regard honesty, or interest ? As these seem often incompatible with one another, the man who stands by his interest expatiates upon the advantages of peace, riches, power, money, revenues, safety, and a fine army, together with other advantages, which are computed by their utility ; at the same time, he lays out the inconveniences of the contrary measures. The man who consults dignity will recount the examples of our ancestors,

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who

who pursued glory, though attended with danger ; he will display the immortal fame that we leave to posterity ; he will maintain that the interest of his country arises from her honour, and is inseparable from her dignity. But in both these questions the points in dispute are ; *what can be done, or cannot be done ?* For all debate is at an end, if it is on all hands understood, that a measure is either absolutely impossible, or inevitably necessary ; and the man who has proved this before the other members are sensible of it, must be allowed to see farther than the rest. But to have weight in debates of a political nature, the chief thing is, to be acquainted with the state of the public, and to know the manners and customs of your country : these, as they frequently change, occasion changes as frequent in the manner of speaking, and although the power of eloquence is generally the same, yet because the dignity of the people is the highest, the cause of our country the weightiest, the inclinations, and commotions of the many the strongest, all this seems to require a more grand and elevated manner of speaking : and the greatest part of the harangue must be applied to the passions, either by way of encouragement, or commemoration, or they are to be worked upon by hopes, by fears, by desire, or by glory ; they are often too to be reclaimed from rashness, resentment, hope, injury, hatred, and cruelty.

CHAP.

CHAP. LXXXIII.

IT happens too, that as the assembly of the people is the highest scene in which an orator can display his powers, he feels a natural wish to speak with greater elegance. For the efficacy of speaking to vast numbers is such, that an orator, without being heard by numbers, can no more display his eloquence, than a musician can play without instruments. And because the humours of the populace are many and various, all shouts of disapprobation must be guarded against, whether raised by any blemish in the speech, in which somewhat may seem too vehement, too assuming, too mean, too sordid, or to have been dictated by a depraved heart ; or it may proceed from the prejudice or the envy of men, which is either well grounded, or arising from calumny or report ; or it may be occasioned by the disagreeableness of the subject, or by some impulse of their own hopes and fears. To these four diseases as many remedies may be applied. First, reproof, where there is authority : or instead of reproof, gentle admonition. A promise that the speaker will make good what he advances, if they will hear him : and then intreaties, which is the lowest kind, but sometimes useful. But there is no place where wit, quickness, and some smart saying, not without dignity, but with humour, have a better effect. For it is often easy to mitigate the sorrows,

sorrows, and sometimes the keenest resentment of a popular assembly and that by a single word, when seasonably, shrewdly, and facetiously introduced.

CHAP. LXXXIV.

I HAVE now, as well as I could, almost got through my explanation of my usual practice in both kinds of causes, and of those particulars, which I both avoided and regarded, with the general method I observed in all causes. The third kind, namely, panegyric, which I at first objected to have appropriate rules, is not at all difficult; but as there are orations of various kinds, and those too of the greatest weight and eloquence, respecting which scarcely any teacher has laid down rules, because we do not make any great use of panegyric, I have laid aside this as a separate department. For the Greeks themselves wrote panegyrics rather with a view to be studied, to delight, or to celebrate some particular person, than with any regard to the practice of the bar, which is our immediate concern: such are the books in which Themistocles, Aristides, Agesilaus, Epaminondas, Philippus, Alexander, and others, are celebrated. As to our panegyrics, which we deliver in the forum, they have a plain, simple brevity in the character we give; for they are composed as funeral orations, to which the pomp of panegyric can by no means be

be adapted; though we sometimes make use in our speeches, and likewise sometimes compose such a style. Thus C. Lælius composed an oration for the uncle of Africanus, which was pronounced by P. Tubero; and that we also may be able to celebrate a person whom we value and love, by praising him, after the manner of the Greeks, we will discuss this department. It is plain then that in a man there are some things to be wished for, and some things to be praised. Birth, beauty, estate, strength, interest, riches, and other circumstances bestowed by fortune, either upon a man's situation in life, or his person, can in themselves communicate no true glory, nor can it be presumed that they are owing to virtue alone; but at the same time, as virtue is chiefly displayed in the right and moderate use of such circumstances, those blessings of nature and fortune fall within the province of panegyric, and that man merits the highest encomium, who possessed power without pride, riches without insolence, and the fulness of fortune without the arrogance of greatness: that his interest and wealth did not seem to support, or to feed his pride or ambition, but his benevolence and moderation; but virtue which is intrinsically valuable, without which nothing can have merit, has nevertheless subdivisions, in which each is more proper for panegyric than the other. For some virtues appear to consist in the manners of mankind, and in a certain affability and beneficence; others in the qualities of the mind, in the extent and vigour

gour of the understanding. For clemency, justice, benevolence, honour, and fortitude amidst general calamities, are topics which administer delight in panegyrics: because all these virtues are considered not as so advantageous to the possessor as they are to society. Wisdom and magnanimity, which estimate all sublunary affairs as inconsiderable and trifling; fertility of invention, together with powers of eloquence, though they excite admiration, yet impart less pleasure to an audience; because they are qualities that reflect more lustre and dignity upon the subject of the panegyric, than upon the hearer; but in panegyrics these should always be joined with the virtues I have mentioned; for mankind love to hear both the pleasing and the agreeable in virtue praised, as well as the astonishing.

CHAP. LXXXV.

AND seeing every virtue has its certain duty and province, as likewise a portion of honour that is allotted to itself; when justice is celebrated, you are to explain, what the person whom you are celebrating has done most in honour of this, or any other virtue. His actions in other respects should be described and classed under the head of that virtue, by the power of which they are characterised. But the most agreeable subject of panegyric is the praise of such great men, as undertake great things without any immediate advantage

tage or profit to themselves: but if, besides this, their actions have been attended with toil, and danger to their own persons, here is the finest field for panegyric, as such actions admit of most embellishments in expressing, and impart the greatest pleasure in hearing. In short, the distinguishing virtue of an extraordinary person is that which is beneficial to others, but painful, hazardous, or at least unprofitable to himself. It is likewise a great and a noble commendation, when a man can say he bore calamity with firmness; that he did not sink under misfortune; and that under every difficulty he maintained his dignity. But the possession of honours, the rewards assigned to courage, actions approved of by the general voice, are far from being incapable of ornament: here the panegyric turns upon ascribing all these actions to the justice of the immortal gods; for those things are to be noticed which are extraordinary in importance, unrivalled in their nature, or peculiarly excellent in kind; because whatever is trifling, common, or trite, are never thought subjects worthy of professed panegyric; for one circumstance that has the strongest effect there, is, the comparison you can run betwixt your subject and other eminent men. You will give me leave to speak a little more than I proposed upon this head, not that it can do us any service at the bar, which has been all my aim in this discourse, but to prove that, if panegyric fall within the province of an orator, as it undeniably does, there is an absolute necessity he

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should be acquainted with virtue in all its branches, which are essential to command praise. It is now evident that the rules, with regard to disparaging, must be derived from vices opposite to these virtues; at the same time it will plainly follow, that as a worthy man cannot be celebrated with any propriety and elegance, without an acquaintance with the virtues, neither can a villain be branded, or lashed with sufficient keenness and severity, without an acquaintance with the vices. It likewise often falls in our way to make use of those topics in all kinds of causes. Thus you have my sentiments, as to the invention and disposition of the particulars in pleading. Let me add somewhat now upon memory, that I may ease Crassus of some fatigue, and leave him nothing more to discourse upon, but the means of embellishing the particulars I have mentioned.

CHAP. LXXXVI.

Go on, said Crassus, for it is with pleasure I now see you stripped of all the frippery of your disguise, and turn out a professed artist; it is likewise doing me a favour and a kindness, to leave but little for me to do. As to the portion I shall leave you, replies Antony, it shall be at your own option; for if you act upon honour, I leave you the whole; but if you shift it, take heed

heed how you are to satisfy the expectations of these gentlemen. But to return to my purpose, said he, I own I have not so great a genius as Themistocles had, as to chuse rather to forget than remember. And I heartily thank Simonides the Ceian, who is said to have been the first inventor of the art of memory; for they say, that as he was supping at Crannon in Thessaly, at the house of one Scopas, a man of fortune and quality, after he had repeated a copy of verses, which he had made upon him, where, in the usual practice of poets, there were a great many elegant encomiums on Castor and Pollux, that this great man was so unprincipled, as to say that he would give him but half what he had agreed for the verses, and that he might apply for the rest, if he pleased, to the sons of Tyndarus, who had an equal share of the praise. A little after, as the story goes, Simonides was called out to two young men who were at the gate very earnestly desiring to see him; it is said farther, he arose, went forth, and saw nobody; that in the mean time the room where Scopas was banquetting fell and buried him and his family in the ruins; when his relations came to bury them, they were so crushed that they could not distinguish one body from another, till Simonides, by recollecting the distinct places where each had reposed, is said to have pointed out the particular bodies, so that each might be buried. This incident is said to have suggested to him, that order best

enlightens the memory ; therefore that they who employ this faculty of the understanding, ought to fix upon places, and imprint those circumstances in their minds, which they wish to retain in their memories : thus the order of places will preserve the order of facts, and the idea of things will mark the things themselves, and by this means places may serve for wax and ideas for characters.

CHAP. LXXXVII.

BUT to what purpose should I mention the advantage, the utility, and the force that memory imparts to an orator, to retain all that you have learned, all that has been suggested to your mind, in making yourself master of a cause ? When every sentiment is imprinted on your understanding, when the whole pomp of language is there depicted, when you can hear either the person who informs you, or him on whose side you speak, in such a manner, as that he does not seem to pour his discourse into your ears, but rather to write it upon your understanding ? Men of strong memory therefore are alone capable of knowing what, how far, and in what manner they are to speak, what they have answered to, and what remains : at the same time to mention a number of circumstances in other causes they formerly appeared in, and a number they have heard from others. Therefore I confess, indeed,
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that nature is the principal bestower of this gift, as she is of every thing I have been speaking of ; but this whole art of speaking, or call it, if you will, an image, or resemblance of an art, has the efficacy ; not indeed to beget or nourish such things as did not before exist in the understanding, but to nurse and strengthen those things of which we are already conscious and have the seeds in our mind. But there is scarce any man with so happy a memory, as to be able to retain the order of words and sentiments without arranging and affixing local ideas to circumstances ; nor is there any memory so treacherous, as not to be in some measure assisted by such a practice and use. For Simonides, or whoever was the inventor of this, with a great deal of sagacity perceived that impressions communicated and stamped by the senses most easily adhered in the mind : now the most exquisite of all our senses is that of seeing ; therefore he concluded, that those things which are either heard or conceived would be most surely retained in the mind, if they were communicated by the medium of the sight, since a certain conformity of form and figure, marks those objects which could not come under the cognizance of the sight, in such a manner, as that our visual faculties, as it were, comprehended what our intellectual cannot. But locality must still be understood to be affixed to these ideas and bodies, and indeed to all objects of seeing ; for space is inseparably connected with the idea of a body. Not to be unnecessarily tedious upon a

well-known, self-evident matter, we must in short make use of local circumstances, which require to be various, clear, plain, and pretty nearly connected : but the ideas which serve as the intermediate agents, must be distinct and well marked, and such as may occur to and strike the mind with the greatest quickness. Practice communicates this faculty ; from practice arises habit, together with the distinction, which is made by substituting synonymous words ; or removed from particulars to generals ; add to this, that the meaning conveyed by one word serves for a whole sentence, and this word marks out the local circumstances by the various ideas affixed to it : in the same manner as any skilful painter manages his light and shade.

CHAP. LXXXVIII.

BUT verbal memory, which is less necessary for our business, is distinguished by a greater variety of figures : for there are many words which, like the joints of the human body, connect the members of a discourse, and are entirely abstracted from all sensible ideas ; yet we must affix some determinate qualities to those words, which we must always make use of. The memory of things is the business of a pleader : and that may be informed by well placed ideas affixed to the several objects, that we may retain sentiments by ideas, and order by places. Nor is it all true what
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is given out by the indolent, that memory is overloaded with ideas, and that this variety throws a cloud even upon the natural faculty which we might otherwise exert. For I have seen the greatest men, men endowed with an almost divine memory ; at Athens, Charneades ; and Metrodorus of Scepsis in Asia, who I hear is still living ; and both these said, that they used ideas upon those places, which they wanted to retain on their memories, in the same manner as one does characters upon wax. Therefore memory can never be created by this practice, where nature does not co-operate ; but if nature has implanted, it is certain that it may by this means be called forth. I have now finished this long, I wish I could say this modest dissertation : I may at least venture to say the author is not over diffident, when he has ventured, to throw out so much upon the subject of eloquence in the hearing, Catulus, of you and L. Crassus : as for these young gentlemen, I am perhaps under the less concern, because they are but young ; but I hope you will pardon me, from a consideration of the motive that prompted me to this unusual loquacity.

CHAP. LXXXIX.

As to us, says Catulus, for so much I will say both for my brother and myself, we not only forgive you, but owe you both love and gratitude for
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what you have done, and it is impossible to acknowledge your politeness and good-nature, without admiring the extent of your knowledge. One thing I think I have compassed by this conversation, which is, that I am now delivered from a great mistake, and shall no longer wonder, with many others, how it came that in all causes you acquitted yourself with divine skill. For I did not think that you had so much as a smattering in the knowledge of which I perceive you are a complete master, which you have gathered from all hands, and as practice has been your instructor, I perceive at the same time that you have partly reformed, and partly confirmed that of others. This does not at all detract from the high opinion I have of your eloquence, and far less of your virtue and application : at the same time I am glad that my own judgment has been confirmed, since I have always laid it down as a maxim, that no man can attain the character of good sense and eloquence, without great study, application, and learning. But what did you mean by saying that you hoped we would pardon you, if we reflected upon the motives that drew you into this discourse ? What could these motives be, but your willingness to oblige us, and to satisfy the curiosity of these young gentlemen, who heard you with the greatest attention ? To this, he replies, I wanted to deprive Crassus of all excuse ; for I knew that he was a little either too diffident or too unwilling, for I will not call it pride in so amiable a man, to engage in this
kind

kind of discourse ? For what plea could he urge ? That he is a man of consular and censorial authority ? So are we. Was he to tell us that he has years on his side ? He is four years younger than we are. Could he pretend that he was ignorant of matters which I accumulated, I acknowledge, but late and cursorily, and in my leisure hours ? whereas he, from his childhood, has given the greatest application to them, under the greatest masters. Not to mention his genius, in which he is unrivalled. For no man can hear me speak, however humble the opinion he has of himself, without hoping he can either speak better, or as well : but when Crassus is speaking, no man has the arrogance so much as to imagine he ever can come up to him. Therefore, Crassus, that gentleman of their quality may not be disappointed in coming here, let us at last hear you.

CHAP. XC.

To this the other replies, admitting what you have said to be the case, as it is far from being so, what have you this day left for me, or for any other to add upon this subject ? For, my dearest friends, I will speak from my heart. Often have I heard learned men—yet not *often*, as I came but a boy into the forum, from whence I was never absent longer than when I was a quæstor :—*sometimes*, however I have heard learned men, as I told you yesterday, at Athens, and when I was in
Asia,

Asia, I also attended the celebrated Metrodorus of Scepsis, lecturing upon these very subjects ; but not one of them, to my thinking, had so much command, so much acuteness in this manner of speaking, as Antony has this day displayed : were it otherwise, and did I think he had omitted any thing, I should not be guilty of so much incivility, nay rudeness, as to be backward in a point in which I am sensible you wish to be informed. Says Sulpicius ; but, Crassus, have you forgot that Antony, divided the subject in such a manner with you, that he took upon himself to explain the mechanic part of an orator's business, but left all the distinguishing and embellishing part to you. In the first place, replies Crassus, who gave Antony leave, both to make this division, and then to have his choice of the parts ? In the next place, if I understood him rightly, while I was hearing him with a great deal of pleasure, it appeared to me that he spoke jointly upon both subjects. But, says Cotta, he did not touch upon the ornaments of language, or that excellence from which eloquence has derived its very name. So, replies Crassus, Antony has taken the substance to himself, and left the name to me. If he has left the most difficult part to you, says Cæsar, we have the better reason for desiring to hear you ; if the easiest, you have the less reason to deny us. Did not you, says Crassus, promise, that if we would pass this day at your house you would indulge us ? Will a gentleman make so slight of his word of honour ?

honour ? This made Cotta laugh. Indeed Crassus, said he, we would let you have your own way, but take care that Catulus does not make this a matter of conscience : this comes under the cognizance of a censor, and let me advise you to take heed how you do any thing unbecoming a person of censorial authority. Do as you will, replies Crassus, but I am of opinion that it is now time to rise and repose : in the afternoon, if it be agreeable to you, I will talk over some things ; unless, perhaps, you chuse to defer it till to-morrow. The company immediately told him, that it was in his option, either to do it immediately, or in the afternoon ; but they intimated, that the sooner he performed his promise, it would be the more agreeable to them.

END OF THE SECOND BOOK.

M. TULLIUS CICERO
ON THE
CHARACTER OF AN ORATOR.

THE THIRD CONFERENCE.

CHAP. I.

WHILE I was proposing, brother Quintus, in this third book, to relate that discourse which Crassus made, when Antony had finished his dissertation, the remembrance of a very bitter affliction awakened the anguish and disquietude of my mind ; for the divine, the accomplished, the virtuous Crassus, died suddenly the tenth day after the conversation mentioned in this and the former book passed. For after he had returned to Rome, the last day of the public games, he was strongly affected with a speech in the assembly of the people, in which he was told that Philip had said, *That some other counsel besides that of the senate was now to be adopted, as, with such a senate he could not direct the affairs of the commonwealth.* In the morning of the ides of September, Crassus, in a full house of the senate, assembled at the summons of Drusus, poured forth a great many complaints against Philip, and laid

before the members the matter for which the other had inveighed against their order before the assembly of the people. A circumstance here happened to Crassus, which I have often known to be incidental to men of consummate abilities ; for though it was generally allowed, that when he spoke with more than ordinary accuracy, he never spoke better ; yet it was on all hands agreed, on that day, that though Crassus had before excelled the rest of the world, on that occasion he surpassed himself. He bewailed the calamity, and the destitute condition of the senate ; an order of which the consul ought to be the indulgent parent, and the faithful guardian ; but that now their hereditary dignity was plundered by a consul, with all the rapaciousness of a lawless ruffian : and it was not at all to be wondered at, if, after dishonouring his country by his counsels, he should now make a separation between it and the authority of the senate. When he had thus, as it were, with words of fire, assailed Philip, a violent man, and an able speaker, and one who had a spirit remarkably daring, the other could not bear it, but took flames, and determined to force Crassus into compliance, by confiscating his goods. It was upon this head, that Crassus was said to have spoken so divinely, by maintaining, *That since the adversary would not treat him as a senator, neither ought he to be regarded as a consul.* Do you, continues he, *who have looked upon the authority*

thority of this order as no other than as a venal pledge,¹ which you have put up to sale in the sight of the people of Rome, imagine, that I am to be terrified by the confiscation of my property? No; would you restrain Crassus, it must not be by forfeiting these; you must first cut out my tongue; and even when that is gone, my soul shall, with the spirit of liberty, quell the lust of thy ambition.

CHAP. II.

It appears that this was followed by a great number of expressions, in which were exerted the utmost efforts of mind, genius, and strength; it was then the famous sentiment fell from him, and was followed by the applauses of the whole body, in the most magnificent and weighty terms; THAT THE ROMAN PEOPLE MIGHT HAVE JUSTICE DONE THEM, NEITHER THE COUNSELS, OR THE DUTY OF THE SENATE HAD BEEN WANTING TO THE REPUBLIC; and it appears by the public registers, that he himself was present when the act was engrossed. The speech and the voice of this divine person, were like those of the swan; and so fascinating was the harmony which charmed our ears, that after his

¹ The goods of a citizen, seized and put to sale by a magistrate, were called *pignora pleges*, i. e. securities for the fine imposed upon him. When taken away for sale, they were said to be *cæsa*.

his death we frequently repaired to the senate-house to view that spot where he had last stood. For I was informed that his exertion in that speech occasioned a stitch in his side, followed by excessive sweating; this brought on a shivering, which obliged him to return home in a fever, where he died the seventh day of his illness. How deceitful are the hopes of man! how frail our fortune! and how trifling our pursuits! often are they interrupted, often are they ruined in the middle of their career, and wrecked in the voyage before we can come in sight of the harbour. For while the life of Crassus was confined to the toils of *ambition*, so long was he eminent, more for the duties of private friendship, and the excellency of his personal accomplishments, than the distinctions of public applause, the privileges of grandeur, or his figure in the government. But the very first year after he had opened his way, by going through the public honours with universal applause, to the highest distinction his country could bestow, death cut short all his purposes, and all the schemes of his life. This was a stroke mournful to his friends, afflicting to his country, and heavy to all worthy patriots: but the calamities which soon after happened to the state, were such, that to me it appears, the gods cannot be so properly said to have deprived L. Crassus of life, as to have rewarded him with death. For he did not live to see all Italy involved in the flames of war, the senate burning with animosities, the treachery of the greatest men of the

the state, the affliction of his daughter, the exile of his son-in-law, the mournful flight of C. Marius, nor that universal slaughter after his return, nor, in short, the general desolation of a city, in which, during its greatest glory, he made by far the greatest figure.

CHAP. III.

BUT as my reflections have led me to touch upon the power and the inconstancy of fortune, I will no longer indulge the digression, but confine myself to the persons who are the original subjects of the conversation we are now entered upon. Who then will not be justified in calling the death of Lucius Crassus a blessing to himself, though it was much bewailed by the public, when he shall reflect upon the fates of those who conversed with him, almost in his last moments. For we ourselves remember, that Quintus Catulus, a man of consummate excellence, when he implored, not the safety of his fortunes, but a retreat in exile, was reduced to put an end to his life. Then it was that the head of M. Antony, who had saved the head of many a citizen, was fixed upon the rostrum, from which, when consul, he had with the greatest firmness defended his country; and which, when censor, he had adorned with imperial spoils. Not far from that lay the head of C. Julius, who was betrayed by his Tuscan landlord, together with that of his brother, L. Julius,

Julius: therefore Crassus, who did not live to behold those calamities, may be said to have lived and died with the republic. For *he* did not see his generous kinsman P. Crassus slain by his own hand, nor the statue of Vesta besprinkled with the blood of his colleague the high priest; nor could a patriot like him have refused to drop a tear at the tragical death of C. Carbo, who was his greatest enemy, and died the same day: *he* did not live to see the deplorable, the terrible ends of those two young gentlemen who had devoted themselves to him. C. Cotta, whom he had left in the fairest hopes of success, a few days after the death of Crassus, was invidiously deposed from the tribuneship, and a few months after driven from the city. But Sulpicius, who had been exposed to the same burning hatred, when he came to be tribune, resolved to strip of all their dignity, those men with whom, as a private gentleman, he had lived in the strictest friendship: yet the thread of his life, which was then blooming to all the glory that eloquence can bestow, was cut off by the sword, and the chastisement of his rashness went hand in hand with the ruin of his country. Therefore, Crassus, well may I conclude that heaven watched over you with peculiar providence, by making your life glorious, and your death timely. For the virtues of thy soul, the constancy of thy principles, must have exposed you to the cruelty of party-resentment; nor could fortune have saved you from the bitterness of death, without your

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living to see the funeral of your country. And not only the power of the factious, but even the success of the patriots, as stained with Roman blood, must have heightened your affliction.

CHAP. IV.

THE misfortunes of the patriots I have already mentioned, and the incidents which I myself have experienced, for the wonderful, the unparalleled affection I bear to my country, all serve to convince me of the truth and solidity of your maxim, when you was continually calling me off from all dispute and altercation; and pointed out, as examples to deter me, the numerous, the great, and the sudden falls of the best and most celebrated men. But as the practice of these maxims is not now in our power, as our greatest toils are alleviated by the compensation of glory, let us proceed to enjoy those comforts which not only are agreeable, when our disquietudes are allayed, but may be salutary, even while they are felt. And to this purpose, let me record the remaining, and almost the last discourse of L. Crassus; and thus communicate to him a glory, which, though not adequate to his merit, yet is due from my gratitude. For none of us, when we read the excellent books of Plato, in which Socrates is generally introduced, though written with a divine spirit, ever conceive any higher opinion of Socrates.

Socrates. This is all the favour I beg, not of you, who are apt to attribute to me all excellencies; but of my other readers, that they will conceive a higher idea of L. Crassus, than any that can be expressed by my pen. For I, who was not present at that conversation, the topics and sentiments only of which were communicated to me by C. Cotta, know that both these orators were masters in this way; and I have endeavoured to give a sketch of it, by keeping up to their several characters. But if any man should be deceived by a vulgar error, that Antony was more barren, or Crassus more exuberant, than they have been drawn by me, he must have either never heard them, or is unable to judge. For both of them, as I said before, excelled all their contemporaries in application, genius, and learning, and so perfect were they in their respective methods, that no embellishment of speech was wanting in Antony, nor redundancy perceived in Crassus.

CHAP. V.

THE company therefore breaking up before the heat of the day, went to take a short repose, and Cotta said he took particular notice that Crassus passed all that time in an intense, profound meditation. He said farther, that, as he was very well acquainted, (by having often observed it in the most weighty causes) with the cast of features

tures and looks natural to Crassus before he began to speak, upon this occasion he was careful not to disturb Crassus, as he lay on his couch in the parlour, while others were at rest; and, finding him buried in thought, he immediately retired; and that almost two hours were spent in this stillness: As the afternoon drew on, all of them came in to Crassus; when, says Julius, shall we take our seats, Crassus? We are not now come to beg a favour, but to lay a claim. Says Crassus, do you suppose me guilty of so much assurance, as any longer to withhold a debt of this kind? Then, replies the other, name your place. What do you think of the middle of the wood, for there it is most cool and shadowy? With all my heart, replies Crassus; there is a seat not at all unsuitable for our conversation. When the rest of the company agreed to this, they went to the wood, where they took their seats, in the highest expectation of what they should hear. Then Crassus began. Both your authority, says he, and friendship, joined to the compliance of Antony, has deprived me of all liberty to deny your request, a liberty which I might well justify. But when he made the partition of the shares we are to bear in this disputation, he took to himself the subjects upon which an orator must speak, and left it to me to explain the manner in which they are to be embellished: by this partition he divided things that are in their own nature inseparable; for as every speech is made up of *things* and *words*, *words* can have
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no place if you take away *things*, nor can *things* be explained without the help of *words*. And to me the ancients appeared to have more comprehensive ideas and views, than our intellectual faculties can take in; for they maintained, that all these things which are above and below, form one system, bound together by one power, and subservient to the same predominating will of nature. For there is not any one kind, which, when severed from the others, can exist of itself; while others, if deprived of any one kind, are unable to preserve their being and duration.

CHAP. VI.

BUT if this system is too extensive to be comprehended by human sense and reflection, at the same time, the maxim of Plato, with which, Catulus, you are not unacquainted, is founded on truth; that all knowledge of the liberal and polite arts is connected by a simple, mutual relation. For when we are capable to perceive the force of that reasoning, by which we become master of causes and events, we find a wonderful harmony and sympathy running through every species of knowledge. But if this is too sublime for the comprehension of us groveling mortals, yet it must be at least allowed, that we ought to know and possess ourselves of that business which we have embraced, which we profess and undertake. For, as I said yesterday, and as

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Antony

Antony intimated in some passages of his discourse this forenoon, eloquence, in whatever channels, into whatever quarters of disputations it may be diffused, is in its own nature *uniform*. For, whether she treats of the nature of heaven or of earth; of divine or of human powers; whether she speaks in an inferior, equal, or superior capacity; whether she directs her powers to impel, to instruct, to deter, to excite, to bend, to fire, or to mollify mankind; whether she addresses the many or the few; whether she speaks among strangers, or to friends, or to herself, yet her speech is still derived from one source, however it may proceed in distinct streams; and however she directs her course, her furniture and embellishments are the same. But as we are assailed by contrary opinions, not only from the vulgar, but even from the smatterers in learning, who find it easier to handle those points, after they are torn, and, as it were, separated from one another, which they are unable to comprehend in a general view; and who sever words from sentiments, which is, as it were, separating the body from the soul, and producing immediate death, I will not undertake to discuss, in what I am going to say, more than I am obliged to do; but only intimate, in a few words, that the ornaments of expression can no more be attained without inventing and arranging sentiments, than a sentiment can be intelligible without the lustre of expression. But before I touch upon these qualities, which I think embellish and enlighten

lighten a speech, I will in a few words give you my opinion of eloquence in general.

CHAP. VII.

It appears to me, that every natural sense possesses many properties specifically differing from others, yet all sharing an equal degree of excellence. For we hear a great many sounds, which, though very agreeable, yet they are so often different from one another, that the last always pleases most; and the pleasures of seeing are almost innumerable; but they affect us so, that the same sense receives the pleasure in a different manner. In like manner, a different pleasure affects each of our other senses, so that it is hard to judge which sensation is predominant. This observation, drawn from nature, is applicable to arts. Statuary is *one* art, and the masters in that profession were Myro, Polycletus, Lysippus; yet each of these were unlike to the other, yet you would not wish any one of them to be unlike himself. Painting is *one* art, and proposes *one* end, but Zeuxis, Aglaophon, and Apelles, had each of them a different style, yet you could not say that any one of them fell short in any one point of his art. And if this is an astonishing proof in the mute arts, how much more wonderful must its effects be in speech and language? For though eloquence may make use of the same sentiments and words, yet her modes are vastly different;

ferent; not that any of them are despicable, but those who are evidently excellent, derive that excellence from different characters. This is chiefly exemplified in poets, who have the nearest relation to orators: how different are Ennius, Pacuvius, Accius? What a difference runs through the writings of Æschylus, Sophocles, and Euripides among the Greeks, yet the merit of each is almost equal to that of the other, though the manner is different? Let us now take a view and a survey of the professors of that art we are now discussing, and observe the difference in the manners and characters of orators. The characteristic of Isocrates was *sweetness*; of Lysias, *delicacy*; of Hyperides, *pointedness*; of Æschines, *pomp*; of Demosthenes, *energy*. Each was excellent, yet the excellence of each was peculiar to himself. Africanus had *weight*; Lælius, *smoothness*; Galba, *keenness*; and Carbo somewhat that was *flowing* and *musical*. Each of these was a leading man in his own age, yet each was distinguished by a character peculiar to himself.

CHAP. VIII.

BUT why do I recur to old examples, when I have so many alive, and under my eye; was ever any discourse more captivating than what we heard from Catulus? So pure was it, that he seems almost the only man who uses with propriety,

priety the Latin tongue; yet its gravity was such, as to unite elegance and refinement with matchless dignity. In short, the judgment I used to form of him, when I heard him speak, is, that if you either add, change, or impair aught of what he says, he must lose and suffer. What is the character of our friend Cæsar here? Has he not introduced a new method of speaking, and brought in a species of eloquence that is almost peculiar to himself? Who besides him ever treated tragical subjects almost in a comical manner, grave ones with gaiety, serious ones merrily, and matters of law with an almost theatrical gracefulness? And all this in such a manner, as that wit is not excluded by the importance of the subject, nor is its weight lessened by his humour. Here are two young gentlemen nearly equal in age, I mean Sulpicius and Cotta, yet no two things were ever more unlike, than they are to each other. Was ever any thing more excellent in its own kind? The one, in a polite, delicate manner, sets forth his subject in well-chosen, proper expressions; he still keeps to his point; and as he sees with the greatest penetration that which he is to prove to the court, he directs the whole strength of his reasoning and eloquence to support that, without regarding other arguments. But Sulpicius, with irresistible energy, with a full, strong voice, with the greatest vehemence and dignity of action, at the same time with so much weight, and variety of expression, seems of all mankind the best fitted by nature for eloquence.

CHAP.

CHAP. IX.

I now return to ourselves, because the general opinion of the public has always matched us together in eloquence; no two people were ever more unlike one another, than I am to Antony in speaking: he is so excellent an orator, as never to be excelled in his own kind; and I, who think humbly of myself, (for that reason principally) am compared with him. You know in what consists the distinguishing excellence of Antony. It is nervous, empassioned, animated with action, guarded and fortified on all hands, keen, cutting, perspicuous, retreating with honour, pursuing with resolution, terrifying, supplicating, his eloquence greatly diversified, our ears never satiated. As to my eloquence, such as it is, for you seem to allow it some degree of merit, it is surely very different from that of Antony: what it is it becomes not me to say, because a man is generally the greatest stranger to himself, and the least acquainted with his own character; yet still a difference is discernible, both in the coolness of my action, and from my finishing my speeches generally in the same spot of ground in which I set out; and because I am put to some more trouble in the choice of my words and sentiments than he is, as he is afraid, that if his eloquence is in the least obscure, it may not answer the great expectation, and profound silence it creates. But
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if there is such difference betwixt us who are present, and if each has his own characteristic, and the excellent are distinguished from the faulty, rather by the degrees of personal abilities than the kinds, and every thing that is in its own kind excellent is commended, what should one say if he were able to take within his view all the orators now alive, or that ever lived, in any country? Would he not pronounce that every one of these orators had a style of eloquence peculiar to himself? From what I have said perhaps it may be objected, that if the modes and styles of eloquence are almost innumerable, yet specifically different, and generally excellent, that their characteristical differences cannot be regulated by the same precepts. But it is not so; for those who instruct others ought to pay particular attention to that bias, with which nature has severally impressed the minds of men. For we perceive, that in the arts, the same schools, as it were, furnish, and the same artists and masters form, scholars in their respective arts, very dissimilar, yet all of them excellent in their kind; therefore the teacher must accommodate his manner to their several capacities. The most remarkable instance of this, that I may confine myself to the art of eloquence, is what was said by the incomparable Isocrates, that *Ephorus required a spur, and Theopompus a rein*; for he checked the one, who was too bold in the use of language, and he stimulated the other, who was hesitating and timid in his nature. At the same time he did not render

der them similar, but what he added to the one, he subtracted from the other, so as to impart to both all the excellence which their respective nature would admit.

CHAP. X.

I THOUGHT proper to premise thus much, lest all that I propose should not be adapted to your several studies, and to that mode of speaking which each possesses, that you may be sensible I only express myself upon that species of eloquence which is most suited to my own manner. Therefore the particulars that have been laid out by Antony, are not only to be observed in the practice, but in a special manner to be expressed in the eloquence, of an orator. And what manner of speaking (for I shall afterwards touch upon action) is preferable to a style that is correct, perspicuous, graceful, and suited to the business we have in hand. But I imagine you do not expect that I am to give you any account of the two first particulars I have mentioned, I mean that of a pure, perspicuous style. For, as we do not attempt to teach eloquence to those who do not yet know the use of speech, so ought we not to expect, that he who is ignorant of Latin, should know how to speak it with elegance; for it is impossible that we should admire what we do not understand. Therefore let us omit those particulars, the knowledge of which is easy, but
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the application necessary: for the one is delivered in a scholastic way, and learned by school-boys; the other is used to render what one says more intelligible: This is a point, which, though absolutely necessary, yet appears of all others the least important. But the most perfect model of eloquence, while it is polished by knowledge, is also improved by reading the works of orators and poets. For the ancient authors, though they were incapable of embellishing what they delivered, yet they generally spoke very nobly, and the man who accustoms himself to their style, however careless of his diction, cannot speak otherwise than in a pure language. At the same time, we are, by no means to make use of expressions, not sanctioned by the present age; but only, as I shall shew afterwards, when they are sparingly introduced by way of ornament. But whoever has, with attention, perused the writings of the ancients, will still make use of well-known expressions; and, amongst these, will know how to speak the choicest.

CHAP. XI.

BUT in order to speak purely, we must take care not only to use terms that are unexceptionable in point of grammar, and to attend to propriety in cases, tenses, genders, and numbers, so that no expression may be confused, incongruous, or post-
posterous; but we must even regulate our
tongue,

tongue, our breath, and the very tone of our voice. I would not have the letters expressed in a slovenly and indistinct manner; I would have every word pronounced not in a spiritless phlegmatic tone, nor yet with a pompous inflated breath. I now speak of the voice, not as it is connected with action, but with language; for there are certain faults which every man would wish to avoid: such as a weak effeminate voice, or one excessively harsh and inharmonious: but there is a fault which some affect: for some people love a clownish country tone, because the language sounds antique; like, Catulus, your companion L. Cotta, who seemed to pride in the uncouthness of his expression, and the clownishness of his tone, and thought whatever he spoke appeared antique, if it had the air of rusticity. For my part I am charmed with the smoothness of your delivery. Not to speak of the principal point, which is expression: this, however, is dictated by reason, acquired by instruction, and confirmed by habit in reading and speaking. What I now mention, regards only the sweetness of sound, which amongst the Greeks was peculiar to Athens, and amongst the Latins is peculiar to this city. The learning of the Athenians, has long since expired in Athens, and only the seat of study remains, which is neglected by the inhabitants, and enjoyed by foreigners who are attracted by the celebrity of that city. Yet any ignorant Athenian speaks more agreeably than the most learned of the Asiatics: I do not mean

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with regard to the language, but the pronunciation; not because he speaks better, but with greater ease. The Latins apply more to learning than the citizens of Rome; yet the most illiterate within our knowledge, far excels in smoothness of delivery, and sweetness of tone, Q. Valerius Soranus, the most learned of all the Romans.

CHAP. XII.

SINCE, therefore, there is a manner of pronunciation peculiar to Romans, and to this city; a manner in which nothing can offend you, nothing can disgust, nothing can displease you; a manner in which there is nothing uncouth, nothing foreign, let us follow that, and learn to avoid, not a clownish roughness only, but likewise a foreign articulation. For my part, when I hear my mother-in-law Lælia (for it is easier for women to preserve uncorrupted the pronunciation of antiquity, because, by keeping less company than men, they always adhere to what they first learned) I think that I am conversing with Plautus or Nævius: So simple, so unaffected is her tone, that she appears quite void of pedantry or affectation; thence I conclude that her father spoke in the same manner; that he again spoke in the same manner with his forefathers: and I infer from this, that our ancestors did not talk in a rough manner like the person above mentioned, nor yet in a turgid, nor in a rustic, nor in a clownish way,

way, but with compressed, even, and gentle elocution. Therefore, Sulpicius, when you imitate our friend Cotta, sometimes by dropping the *I*, and sounding *E* roundly, you do not, in my eyes, resemble an ancient orator, but a modern peasant. When Sulpicius himself could not help laughing at this: I treat you in this manner, says Crassus, that since you would force me to speak, you may hear some of your own faults. We are obliged to you, replies the other, it is the very thing we wished for, and if you will extend your complaisance, I make no doubt of your being able to amend many of my defects before we part. Ay, but says Crassus, it is impossible Sulpicius for me to blame you without reflecting on myself, since Antony has complimented me with being very like you. But, replies Sulpicius, he told us, at the same time, that we ought to imitate the beauties of our original; therefore, I am afraid that I imitate you in nothing but the stamp of your foot, a few expressions, and a little gesture. Therefore, answers Crassus, I do not find fault with the properties you borrowed from me, lest I should by that means reflect upon myself: but I have many faults of a more serious nature than those you have mentioned. But as to those which are originally your own, or those acquired by imitating another, I will give you my advice, wherever I can do it properly.

CHAP.

CHAP. XIII.

LET us, therefore, pass over the rules of speaking with purity, which we learn at school, and which are confirmed by more refined knowledge and taste, by the daily habits of conversation, by acquaintance with modern books and reading ancient orators and poets. Nor shall I continue long in discussing the means of perspicuity in what we deliver; for that is effected by using plain common terms, expressive of the matters which we want to communicate, without any ambiguity, without too long periods, without forced metaphors, or far-fetched allusions, without any incongruity in sentiment, without any confusion in regard to time, without any confusion of persons, without any violation of order: But need I add any more? The whole matter is so easy, that it is surprising to me that the advocate should speak more unintelligibly to the judge, than the client does to the advocate. For when our clients come to consult us, they generally lay their business so plainly before us, that one could not desire to have a clearer view of the case; but as soon as Fusius, or the favourite Pomponius, begins to talk over the same matter, I own it requires all my attention to make me understand them as well, for all they say is a confused mass, without method, and without distinctness; their words being so obscure, that

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their pleading, instead of enlightening the subject, as it ought to do, throws over the whole a gloom and a darkness, in such a manner, that at every other turn they confound themselves. But as I hope you have all of you, especially Antony and Catulus, heard enough of observations which are tedious and puerile, I will, with your approbation, pass to something else, which perhaps is still somewhat more disagreeable.

CHAP. XIV.

YOU perceive, says Antony, no doubt, that our attention is wandering, that we hear you with reluctance, since we could be brought to suspend all our business (for I judge of others by myself) to follow you; so well qualified are you to give neatness to mean, copiousness to dry, and novelty to common subjects, by your manner of treating them. That, Antony, replies he, is, because the two parts I just now touched, or rather skimmed over, I mean that of speaking in a pure diction, and a perspicuous manner, are very easy. The parts that remain are important, intricate, various and weighty, requiring, in an admirable degree, the united powers of genius and eloquence. Propriety of diction never makes an orator admired, though his speaking improperly makes him ridiculous. And people, so far from thinking him an orator, do not think him a rational being. A man can never expect

expect to be praised for speaking intelligibly to an audience, but he must expect to be despised if he does otherwise. Where is the man whose eloquence can strike an audience with terror, amazement, and ecstasy? Whom do men consider, if I may use the expression, as a god on earth? It is he who, with method, distinctness, copiousness, and perspicuity, knows how to treat both things and words, and who forms his periods with certain rhythm and harmony, in which, in my opinion, *gracefulness* consists. He who knows how to treat things and persons suitable to their different characters, excels in what I call *propriety* and *congruity*. Antony, who denied he had ever seen a man who came up to this character, said, that such a man alone could deserve the praise of eloquence. You have, therefore, my authority for treating with a just contempt and disdain, all those who imagine they have attained the whole power of eloquence, from the rules of those whom we now term Rhetoricians, and who are unable to understand either their own character or profession. For, as to an orator, all the accidents and occurrences of human life, ought to be by him examined, heard, read, discussed, handled, and managed, because human life is the scene of all his action, and the subject of all his eloquence. For eloquence is, as it were, the highest of the human faculties. Though all virtues in their own nature are equally excellent, yet some of them are specifically more beautiful and striking: for instance,

stance, this power, which by comprehending an universal knowledge, can so explain the affections and sentiments of the mind, as to sway the hearer at pleasure. The greater this power is, the more strongly does it require to be supported by probity, and the greatest good sense. For a bad man possessing eloquence, never can be called an orator; it being like putting arms into the hands of a madman.

CHAP. XV.

I REPEAT it; this ability in conception and expression, this energy of eloquence, was by the ancient Greeks termed *wisdom*; hence arose their Lycurgi, their Pittaci, their Solons; and parallel to them were our Coruncanii, Fabricii, Catones, and Scipios, who, perhaps, had not so many acquired endowments, but were equal in the strength of genius, and similar in their inclinations. The good sense of others directed them to pursue the same studies in ease and retirement, though with different views of life. For instance, Pythagoras, Democritus, Anaxagoras, who called off their attention from the affairs of civil polity to subjects of private contemplation, (a manner of life which is bewitching to more people than is consistent with the welfare of public concerns, on account of its tranquillity and delightful knowledge) than which nothing can be more alluring to a rational being.

being. Therefore, as men of the greatest natural understanding have dedicated themselves to this study, those of the greatest acquired abilities, blessed with excess of ease and fertility of imagination, invited by the advantages of leisure and retirement, have thought themselves obliged to take care of, to examine, and to investigate a greater number of things than were necessary; for formerly this study was adapted to be the rule both of our lives and speaking; the same teachers taught both. Thus, Phœnix, in Homer, says, he was ordered to attend Achilles in the war, by his father Peleus, that he might teach the young man both how to speak and how to act. But as people who are accustomed to constant and daily labour, when bad weather hinders them from their work, betake themselves to the ball, to the dice, or to the draughts; or even invent some new diversion for themselves in their leisure hours; thus, those persons, when retired from public business, looked upon themselves as secluded from their labours, or indulging themselves in a recess from business, gave themselves entirely up, some of them to the poets, some of them to the mathematics, and others to music; and others, such as the logicians, invented a new study and amusement for themselves, and thus consumed their whole time and their life upon those arts which are already discovered, in order to form the minds of boys to good breeding and virtue.

CHAP. XVI.

BUT, as there have been some, and those not a few, who have either made a figure in the Republic, by the united, and, indeed, inseparable excellencies, of acting and speaking, such as Themistocles, Pericles, Theramenes, and others, who have appeared less in public affairs, yet have professed to teach the same kind of philosophy; such as Gorgias, Thrasy Machus, Isocrates, there have been others who, though possessing learning and genius, were, in their inclinations, so averse to civil life and public business, that they have exploded and despised the practice of speaking. Socrates, who by the concurrent testimony of the learned, and the judgment of all Greece, undoubtedly excelled the rest of the world in good sense, quickness, gracefulness, delicacy, especially in eloquence, in variety and copiousness of expression upon every subject that he took in hand, was the principal person of that character. They who treated of, handled, and taught those points which we are now examining, deprived them of their common name; for till that time all the knowledge and practice of virtue was termed philosophy; but Socrates, in his discourses, made a distinction between the knowledge of thinking justly, and speaking with propriety, though they are in reality inseparable. Plato hath immortalized the genius, and different discourses

discourses of Socrates, though Socrates himself did not leave one line in writing. Hence arose a distinction, without any difference, betwixt the tongue and the understanding, a distinction which is entirely absurd, useless, and blameable; so that certain persons professed to teach some people to be wise, and others to be eloquent. For, as they all arose from Socrates, whose discourses were so various, different, and universally diffused, that each learned somewhat that was different from the other: hence, sects of philosophers were propagated, widely differing among themselves, and vastly unconnected with, and unlike one another; yet all of them affected to be called, and thought themselves the disciples of Socrates.

CHAP. XVII.

FOR, in the first place, Aristotle and Xenocrates were the immediate scholars of Plato; the one of which was the founder of the Peripatetics, the other of the Academics. Then, from Antisthenes, who admired chiefly the patience and abstemiousness of Socrates, in his discourses, arose first the Cynics, and then the Stoics. Next from Aristippus, who was charmed with the sensual part of Socrates's discourses, the sect of the Cyrenians flowed, whose doctrines he and his successors maintained, without any disguise. But as to those who now place their chief happiness

piness in sensual enjoyments, by affecting to act with the greatest modesty, they neither consult that decency of character, which they are far from despising, nor prove the reasonableness of those pleasures which they wish to enjoy. There were also other sects of philosophers, who generally professed themselves to be the followers of Socrates; such as the Eretrici, the Herillii, the Megarici, the Pyrrhonists; but all these have been long crushed and extinct, by the force and the disputations of the others. But, of those sects that remain, although that which has adopted pleasure to be the sole end of living, may appear with the greatest face of truth to some, yet it is vastly unsuitable to the person we are now in search of, who ought to preside in public councils, who ought to be the first man in a government, and whose sentiments and eloquence ought to be chiefly followed in the senate, before the people, and in all public pleadings. Let us, however, respect that system of philosophy, nor withhold from its professors that end which they aim at. Permit them to repose in their own bowers, or where they please; let them loll amidst ease and delicacy; let them dissuade us from following the rostra, the courts, the senate; perhaps in such a government as we now live under, they may be in the right. But at present I do not examine what philosophy is the truest, but what is most suitable to the character of an orator; therefore let us take our leave of them without insulting them; for they are well-meaning

ing men; and since they think themselves so, they are happy. I shall only take the liberty to put them in mind, that one of their greatest, truest maxims, should be reserved, and, as it were, concealed as a mystery; I mean their denying that a wise man ought to have any concern in public business; for if they could succeed so far as to persuade us, and other true patriots of this, it were impossible they could enjoy their beloved tranquillity.

CHAP. XVIII.

As to the stoics, though I am far from condemning them, yet I dismiss them without any apprehension of their resenting it, because they are absolutely void of all resentment: at the same time we are so far indebted to them, as that they are the only sect who admit that eloquence is virtue and wisdom. But their conceptions of both are widely different from the purposes of the orator whom we are now forming; both because they look upon all who are not *philosophically* wise to be slaves, robbers, enemies, and madmen; and yet they maintain that no man is really wise. What absurdity! that an assembly, a senate, or any body of men, should devolve their interests upon a man who believes no person present to be in his senses, to be a citizen, to be free. Add to this, that they possess a kind of eloquence which is perhaps delicate, and certainly is acute; but in

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an oratorical point of view, it is dry, uncouth, harsh in the ears of the public, obscure, empty, and jejune; yet is of such a nature as is impossible to be adapted to common usage. For the stoics have quite different notions both of *good* and *evil* from the rest of their countrymen, and indeed from the rest of the world: they have quite different ideas of the force of honour and ignominy, of rewards and punishments. Whether they are or are not in the right, is not to my present purpose; I will only say thus much, that if we follow them, we shall never be able to make any figure in eloquence. The other sects are the Peripatetics and the Academics; which last, though they all of them go under one name, yet are divided into two opinions. For Speusippus, the son of Plato's sister; Xenocrates, who had been the hearer of Plato; and Crantor, differed but very inconsiderably from Aristotle, who was Plato's hearer at the same time, though they perhaps differed as to copiousness and command of expression. Arcesilas, who had been the hearer of Polemo, was the first who borrowed this leading maxim from the different books of Plato, and discourses of Socrates, that neither our minds nor senses are susceptible of any thing that is certain: his character is, that he spoke with a great deal of wit; that he professed to despise all the judgment of the mind and senses; and that he was the first who laid it down as a rule, (though indeed that was the main point which Socrates laboured) not to discover his own real

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sentiments,

sentiments, but to dispute against those of others. From him the later academy flowed, in which flourished Carneades, who was blessed with a divine quickness of understanding, and command of expression. Though I have known many of his hearers at Athens, yet I can praise him upon the recommendation of undoubted authorities; which are my father-in-law Scævola, who when he was a young man heard him at Rome; and my friend Quintus Metellus, the son of Lucius, a person of the greatest eminence, who said that in his youth he heard Carneades, who by that time was far advanced in years, for many days together at Athens.

CHAP. XIX.

FROM this common source of philosophy, as rivers from the Apennines, learning began now to run into different channels: philosophy disembogued, as it were, into the Ionian upper sea, which is Grecian, and accommodated with harbours. Eloquence glided on to this lower, Tuscan, inhospitable, rocky, dangerous coast, on which Ulysses himself would have lost his way. If therefore we extend the character of eloquence, and of an orator, no farther than the knowing how to plead not guilty to a charge, or the maintaining that what is charged to be done was done rightly, or ought to be laid upon another, or injuriously, or lawfully, or unlawfully, or imprudently

imprudently, or necessarily, or that the charge does not come under such or such a denomination; or the denying that it was so, or if it was, that it was right and justifiable; and if you think it sufficient that an orator shall learn the rules, which have been expanded by Antony with much more elegance than they are by them; I say if you are contented with these qualifications, nay even with those that you want to hear from me, you reduce an orator from a very large and spacious field into a very narrow compass. But if you intend to be guided by old Pericles, or even by one, who from the number of his writings is more familiar to us, I mean Demosthenes; and if you are in love with the appearance of exquisite harmony and beauty in a perfect orator, you must be masters of the force of a Carneades, or an Aristotle. For, as I said before, the ancients, to the days of Isocrates, united the comprehension and knowledge of every thing relating to morals, life, virtue, and government, to eloquence. After, as I have shewn, the eloquent were separated by Socrates from the learned, and afterwards all his followers, amongst philosophers despised eloquence, as orators did philosophy. Nor had they the least intercourse, unless that each borrowed from the other somewhat which served as a common source for both, if they intended to live in the old relation with one another. But as the ancient priests instituted three assistants, because of the number of sacrifices, though by the regulations of Numa they themselves

selves were to take care of the sacred banquet; thus the followers of Socrates separated the pleaders of causes from themselves, and philosophy in general; because the ancients were of opinion, that a close union subsisted betwixt eloquence and wisdom.

CHAP. XX.

As things stand in this manner, I will for my own part pray for some indulgence to myself, and beg that you will understand what I am about to say, not as spoken of myself, but of an orator. For I am one of those who, from my childhood, being instructed with the utmost care by my father, brought with me to the bar those talents, which I am now conscious I possess, though they may fall short of what you may imagine them to be; I cannot pretend to say that I have learned what I now understand, to the same perfection as I own they ought to be. I entered upon the business of a pleader very early in life, and was but one and twenty years of age, when I impeached a man of great quality, and of great eloquence; therefore the forum was my school; practice, the laws and constitutions of the Roman people, with the precedents of our ancestors, were my instructors. When I was quæstor in Asia, I somewhat indulged my curiosity, for those arts I have already mentioned, and prevailed on Metrodorus the rhetorician to accompany

company me from the academy, the same whom Antony has already praised, and very near my equal in years. In my return from Asia I came to Athens, where I would have staid longer, had it not been that I was piqued at the Athenians, because they did not repeat the celebration of their mysteries, to which I came only five days too late. Therefore all that energy, all that compass of knowledge, which I require in my own profession, so far from making for me, makes against me; (for I am not speaking what I, but what an orator can do) and renders all those empirics in the art of rhetoric ridiculous, for their writing upon the nature, the preambles and the narratives of causes; but the power of eloquence is so great as to comprehend the rise, the force, the changes of all objects, virtues, duties, and of all nature, so far as relates to the manners, the inclinations, and morals of mankind. It is hers to point out customs, laws, and rights; to govern states; to discourse with gracefulness and ease upon every subject. In this I am conversant, so far as my capacity, joined to a moderate share of learning and practice, can reach. Nor do I imagine that I am much inferior in disputation to those, who have made philosophy alone the study of their lives.

CHAP. XXI.

CAN my friend C. Velleius, when he wants to prove that pleasure is the chief good, advance one argument

argument which I am not able to defend with more copiousness, or by means of my practice in speaking, (in which Velleius is but a novice, but all of *us* conversant) refute from those common places which Antony has laid open? Is there a topic upon moral virtue, that S. Pompeius, or the two Balbi, or my friend M. Vigellius, who lived with Panætius, all stoics, can maintain so as to oblige me, or any one of you, to yield to them in point of reasoning? For philosophy is not like the other arts: for what can a man, who has not been taught them, do in geometry or music? Why, he must either hold his peace, or be looked upon as a madman. But as to the principles of philosophy, they are implanted in our nature, and whoever is endowed with quick discerning faculties, will perceive what is most probable and exact; and the practice of eloquence will enable him to speak upon them with more gracefulness. Here an indifferent orator, though not quite so learned, yet if he has been used to speak, will, by means of his common practice, baffle the mere sophists, and keep himself above their contempt and disdain. But should one at any time start up, who in the Aristotelian way is capable to speak upon either side of every subject, and who, by the assistance of well known precepts, can produce in every cause two orations, each contradictory to the other; or, like Arcesilas and Carneades, can dispute against every proposition that can be laid down; should such a man join to these attainments, an acquaintance with rhetoric,

toric, and a methodical practice in speaking; such a man would, in truth, be a perfect orator, and alone deserving of that name. For without the nerve of forensic eloquence an orator would want sufficient animation and authority; and while destitute of the various stores of science, he would not be sufficiently refined and enlightened. Therefore, let us suffer Corax, like the raven, whose name he bears, to fledge his pupils with the plumes of rhetoric, and then send them abroad from his nest, as a brood of ill-boding clamorous croakers: let us leave the obscure Pamphilus to delineate, as it were in swaddling clothes, the great profession of an orator, as the sports of children; while we are explaining, in the short conversation we have had yesterday and to-day, that arduous province, so far as this important study is comprehended in the books of all philosophers, which have never yet been dipped into by these rhetoricians.

CHAP. XXII.

SAYS Catulus, by heavens! Crassus, it is not surprising that you possess such force, such sweetness, such command of eloquence: this I before attributed to your genius, and in that light you appeared not only as the greatest of orators, but the wisest of men; but now I perceive you have always given the preference to good sense, and that all your copiousness of speaking

speaking flows from thence; yet when I call to mind the different stages of your age, your life, and your studies, I cannot comprehend how you have had time to make yourself master of these points; nor did I imagine that you were much addicted to such studies, as men and books; at the same time, I cannot determine whether it is most surprising that you could find leisure amidst your great employments for those assistances which you have convinced me are of the greatest importance, or if you have not, that you should be able to discourse of them so well. I was willing, replies Crassus, in the first place, to persuade you, that when I am discoursing upon an orator, I do it much in the same way as I would of a player. For I will maintain, that it would be impossible for him to please the public in his action, without learning to fence and dance. At the same time, I am far from saying that is necessary for me to be a player; no, all I require is, that I may have some taste in arts foreign to my own profession. In like manner, while, at your request, I am talking of an orator, I delineate one that is perfect. For when we speak of any art or profession, it is always understood that we speak of it in its highest perfection. Therefore, if you should think me an orator, a tolerable one, nay a good one, I shall admit that I am, (for it would be affectation in me to deny that I am thought so) yet even admitting this, I am far from being perfect. For there is no profession upon earth that is more im-

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portant,

portant, more difficult, or needs more the aid of other branches. But as we now talk of an orator, we are then to understand him as finished in every excellence. For the power, the nature, the quality, and extent of any thing can never be comprehended, but by laying it open in its utmost perfection. As to myself, Catulus, I confess that at this time of life I am neither conversant in such writings, nor with such men. The reason, as you have rightly observed, is, because I never had leisure for studying; and all the time I set aside for learning was either when a boy, or when there occurred any suspension in my business at the bar.

CHAP. XXIII.

BUT, Catulus, if you demand my sentiments upon that kind of learning; I am of opinion that a man who has genius, and who is concerned in the affairs of the senate, and the forum, has no occasion for employing so much of his time upon it, as they do who spend their lives in the study of the profession. For in all arts, the management of those who apply them to practice, is quite different from that of those who are charmed with speculations; and considering them only as arts, spend their days in their darling amusement. There is the superintendant of the Samnites;—he is very old, yet he is every day making new observations, for he minds nothing else.

else. On the other hand Q. Velocius applied to the study of fencing only when he was a boy; and as he had genius, and was complete master of it, he got the character in Lucilius of being

* A finish'd master in the fencing art,
Yet knew to act a rigid patriot's part;

for he allotted the greatest part of his time to the business of the forum, of his friends, and his private economy. Valerius sung every day of his life; and what had he to do besides, for it was his profession? But our friend Numerius Furius sings only when it is proper; for he is a man of character, and a Roman knight, and learned, in his youth, as much of music as was proper for his purpose. The same observation will hold in arts of greater importance; we have seen Tubero, a man of the greatest virtue and good sense, when he was studying under a philosopher, spend whole days and nights in reading, while his uncle Africanus is making himself master of the same study, without your knowing what he is about. These points are easily learned, if you go no further in them than you have occasion, if you study them under an able master, and are yourself endowed with natural parts.

* *A finished master.*] Orig.—*Quam vir bonus ipse Samnis in ludo, ac Rudibus, cuius satis asper.*

The commentators have, in their usual way, by endeavouring to clear up, rendered this passage nonsense. I have attempted to reconcile it to meaning, by retaining the word *civis*, in the quotation, and beginning the next sentence with *nam* instead of *sed*. Z 2

parts. But if you make it the sole business of your life, the very handling and enquiry into it daily begets somewhat that in your indolent amusement invites you to go farther in the pursuit. Thus it happens that a boundless field of speculation opens in the pursuit of knowledge. An easy practice will establish learning; a little application too must be added, and the memory and study must remain the same. But we still delight to learn; for instance, I may be inclined to play well at dice or tennis, though perhaps I may not succeed: but others who are excellent players, such as Titius at tennis, and Brulla at the dice, are unreasonably fond of these diversions. There is therefore no reason why any body should be afraid of the extent of the arts, because people learn them when they are old; for such either were old men when they first applied to them, or they have been detained in those studies till they became old, or they are great dunces. But in my opinion the truth of the matter is, that unless a man studies a thing expeditiously, he never can learn it well.

CHAP. XXIV.

Now, Crassus, now, says Catulus, I understand what you say, and, indeed, I agree with you. I perceive that you had time enough for a man of your very quick apprehension, for making yourself master of all the points you have mentioned.

tioned. Why, replies Crassus, should you still apply what I say, personally to me, and not to the general character of an orator? But now, if you please, let us return to our purpose. I am not against that, says Catulus. Then Crassus went on. To what view is all this long, far-fetched discourse directed? Two parts yet remain for me to discuss; that of illustrating an oration; and that of giving the finishing hand to eloquence. The first may be called *speaking* with *gracefulness*; the other, with *propriety*: these have the power of rendering a discourse delightful, moving, and copious. But the art of a pleader at the bar, which consists of litigious contention, and founded upon vulgar notions, has somewhat in it that is mean and beggarly. And what is taught by those who call themselves masters of rhetoric is very little better. We must invest our ideas in magnificent and splendid ornaments, collected from all quarters, like things imported from distant climes: an orator ought to do, as you, Cæsar, must do next year; he must take the pains that I took in my *ædileship*, when I did not think that this people were to be satisfied with common and familiar objects of taste. As to chusing and arranging words, or closing periods, one easily falls into the method from instruction; or practice itself will direct one into it without instruction. The principal point

Ædileship.] Among the Romans the *ædiles*, while in office, adorned the public buildings with statues, pictures, &c.

point is to be furnished with copiousness of materials; the Greeks were destitute of this; for that reason our young men were stupified by their instructions; and, as the gods would have it, professors commenced two years ago to deliver Latin lectures on rhetoric. When I was censor, I suppressed them by an edict, not because, as I hear some people have given out, I was unwilling that the capacities of our youths should be opened, but because I was unwilling they should be sunk in ignorance, and, in proportion, confirmed in impudence. For I perceived that among the Greeks, bad as they were, there was, besides rhetoric, somewhat to be learned that was sensible, polite, and might pass for learning: but as for these upstart professors, I could not find out that they could teach any one thing, besides impudence; which, even when joined with good qualities, ought to be strictly avoided. As this was the only thing they taught in their schools, I thought it proper, as I was censor, to put a stop to the spreading contagion. I do not, however, peremptorily insist upon it, that the subjects, we have had in hand, cannot be elegantly delivered in Latin; for both our language, and the nature of the subjects, admit of our accommodating the old, and the excellent learning of the Greeks, to our usages and manners: but this can be effected only by men of more learning than any of our countrymen have yet attained to on this subject: yet if ever such men should appear, they will be preferable to the Greeks themselves.

CHAP.

CHAP. XXV.

A SPEECH then is embellished by the subject: and by, as it were, a substance, and ground colouring of its own. To give majesty, sweetness, learning, good breeding, to make it strike, to give it the finishing touches of eloquence, to work it up with as much of the pathetic as is needful, is not to be done by regarding particular members; they are excellencies that regard the whole; but to diversify it, as it were, with the flowers of sentiments and expression: these must not run through the whole of a discourse, but such particular places, as that they may serve like jewels and distinctions in dress. Therefore the eligible kind of speaking, is that which is most interesting to the hearer, and gives him the greatest delight, but a delight without satiety. I do not imagine that you expect to be cautioned against the dryness, or uncouthness of language, or against its being too common, or too antiquated. No; your capacities and age remind me of the necessity of addressing to you something of more importance. It is hard to be accounted for, why that pleasure which most strikes us, and on its first impression communicates the most exquisite sensation, should soonest create in us disgust and satiety. You see how much more beautiful and gay the colouring is in a new, than in an old picture? Yet though the first catches our eyes, they cannot dwell upon it

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with

with the same delight; and at the same time we are enchanted with the very antiquated, old fashion, which we contemplate in an ancient piece. How much softer and more delicate are quavers, and artificial sounds, than distinct masculine tones in singing? Yet, not only the judges of music, but the very vulgar cry out against them, if they are too often repeated. The same observation holds as to our other senses; we are less pleased with a strong, high perfume, than one that is but moderate; and one would rather chuse not to be perfumed at all than be too strongly so: even in the touch there is a degree of softness and smoothness. As to the taste, which is the most exquisite of all our senses, and most relishes what is sweet, yet how easy is it cloyed by any thing that has excessive sweetness? Or who would be confined to eat and drink nothing but what is delicious? While in both kinds the pleasures that are least exquisite, are most durable. Thus, generally speaking, satiety borders upon the most pleasing sensations; we are not therefore to be at all surprised, if this observation holds equally in eloquence. For let us pitch upon any poet, upon any orator, we shall find that an uninterrupted, an unblameable, and an undiversified conciseness, heightening, embellishment, gaiety of style, in a poem or in a speech, though they have all the advantages of colouring, afford no lasting pleasure; and the finical ornaments of an orator or a poet disgust us the sooner, because our *senses* are satiated with too much

much pleasure from our constitution, not from our reason; and in intellectual entertainments, not the ears only, but the mind much more takes disgust at a continued affectation of excellence.

CHAP. XXVI.

THEREFORE, while I am speaking, I chuse rather to have it said, and that frequently, *That is well said*, than *That is fine*, *That is charming*; for a too frequent repetition of that is dangerous. Yet, at the same time, I wish to hear it said, often, *No man can speak better*: yet still the perfection of eloquence has a deep shade, which throws its figures into the stronger relief. Roscius does not give all the expression which he could to this verse,

The wise man demands honour, and not plunder, as the reward for his virtues.

He remains cool, that he may come to the next.

What do I see! the sword is master of the sacred seats.

He here starts, stares, is astonished and confounded. When he comes to the other verse;

Where shall I fly for refuge?

How gently, how slowly, how coolly does he pronounce it? For it immediately introduces—

Oh,

Oh, my father! Oh, my country! Oh, the family of Priam!

Where the action could not be near so much animated, if the actor had been spent and exhausted in pronouncing the line before. The poets were as soon sensible of this as the actors: in short, the musicians were as sensible of it as either of them. For all these have their low strains, then they rise, they swell, they sink again, they diversify, they distinguish. Thus let our orator, who aims at gracefulness and sweetness, attain a sweetness that is manly and solid; and not cloying and fritted; it is then impossible he should miss of being agreeable. For the rules with regard to gracefulness may be displayed by an orator exceedingly faulty: but as I said before, he must lay up a magazine of materials, both with regard to subject and sentiments; this is a part to which Antony has spoken already. These are to be moulded in a style, to be illumined with a diction, and enriched with sentiments, corresponding to the character of the oration. But it is the highest praise of eloquence so to amplify and adorn, as to strengthen your cause; this is of use, not only when any thing is to be exaggerated or extolled, but in cases where you are to extenuate and sink.

CHAP.

CHAP. XXVII.

THIS is required in all those topics which Antony observed are to be applied for the purpose of convincing; either when we are explaining any point, or when we are conciliating favour, or raising resentment: but in the last case amplification is of the greatest efficacy; and indeed is the characteristical excellency of eloquence. That practice too of praising or dispraising, which Antony explained in the end of his discourse, though he rejected it in the beginning, is of great consequence. For nothing can contribute more to exaggerate or amplify a speech, than to be able to dispose of both these to the best advantage. Those topics follow next which are proper to the bar, and which ought to be inseparable from the nerves of pleading, yet because they used to treat of general heads, they were by the ancients called common. Some of these consist in pointed, exaggerating invectives, or complaints against vices and crimes; such as embezzlements, treason, or parricide, crimes which cannot be defended. These topics are to be used after the facts have been established, otherwise they are dry and trifling. Others of these topics consist in deprecation and pity; others of them in doubtful disputes, where there is a fair field of speaking on both sides on general heads. This practice is now appropriated to the two philosophies I have already noticed; with

with the ancients it belonged to those who were consulted upon the whole method and practice of pleading at the bar. For as to what regards virtue, duty, right, and equity, dignity, utility, honour, disgrace, rewards, punishments, and the like matters, we ought to have strength and art sufficient to speak upon them in every shape. But as we are disinherited of our estate, we are left in the possession of a little litigious tenement; and though we profess to be the champions of other people's rights, we are incapable to secure, or vindicate our own; and, to complete our shame, we must have recourse for what we stand in need of to these invaders of our property.

CHAP. XXVIII.

THE gentlemen who, from a small district of Athens, obtained the name of peripatetic, or academic philosophers; but who were formerly styled *political philosophers*, a general appellation they obtained on account of their being eminently versed in the most important subjects, and universal politics: they, I say, maintain that all political discourses turn upon one or other of the following kinds; either when the dispute is bounded by particular times and parties; for instance, *Is it your pleasure that an exchange of prisoners be made with the Carthaginians?* Or the question is indefinite and general; thus, *What are the sentiments which you are most de-*

sious to lay down with regard to a captive?

The first of these kinds they term a *plea*, or a *dispute*, which they confine to three points, a *suit*, a *debate*, and a *penegyric*: but as to the other question, which is indefinite, and, as it were, a point of speculation, that is termed a *consultation*: Thus far do they go. In their lectures they indeed make use of this division; but they do not claim it as their right or privilege, or if they meant to recover the inheritance they have lost, but as if their design was to intrude upon the civil law. For they have, as it were, by stealth, come at the other kind, which is circumscribed by times, places, and persons. At present, Philo, who I understand to be the chief man of the academy, professes to understand, and practises in, such causes. As to the other kind, they mention it as being the only proper subject of the first art, and belonging to the orator: but they neither lay down its force, its nature, its parts, nor heads; so that it had been much better for them to have entirely omitted it, than to have attempted it, and then to have forsaken it. For now the world looks upon their silence as the effects of their ignorance; whereas otherwise it might have been deemed as the result of their choice.

CHAP. XXIX.

EVERY subject therefore that is a matter of enquiry, is handled in the same manner, whether it

it is an indefinite proposition, or adapted to a pleading in the court or the forum; nor is there any one subject but what must turn upon speculation or practice. For a proposition must either turn upon the knowledge of, and acquaintance with, the nature of a subject; as for instance the following, *Whether virtue is desirable for its own excellence, or for certain advantages attending it?* or upon a prudential consideration, such as the following, *Whether a wise man ought to undertake the affairs of government?* In subjects of speculation there are three modes requisite, *conjecture, definition*, and what we may call *consequence*. For should a man ask, *Whether there is such a thing as knowledge amongst mankind?* that is a conjectural proposition. If we were to enquire, *What is wisdom?* we must answer by a definition. Were we to enquire, *Whether it is consistent with the character of a good man to tell a lye?* we must then argue from *consequences*. They then return to *conjecture*, which they divide into four heads. The first, as it considers the inherent properties of any thing. Thus in the following proposition, *Whether the laws of society are founded upon nature, or upon opinion?* The next head of conjecture, relates the foundation of any thing; such as *laws and government*: the next regards the cause and reason of any thing; for instance, *Why do the most learned men differ upon the most important subjects?* The last head consists in *immutation*; for instance, *Whether vir-*
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can die in a man, or whether it may not possibly be converted into vice? The modes of *definition* are as follow; *What ideas are innate in the minds of men?* *Whether that can be called lawful which is advantageous to the greatest part of society?* When a quality comes to be examined, as, *Whether the elegance of speech is the character of an orator?* Or, *Whether some other men besides an orator may not possess it?* Or when a subject is sub-divided; for instance, *How many kinds of things are desirable?* Or, *Whether these kinds are not three; those relating to the body, understanding, and fortune?* Or the character is to be described by such distinctions as nature observes, as when a man that is avaricious, turbulent, or vain-glorious, is delineated by his peculiar character. As to *consequences*, two kinds of questions first present: the first is a simple discussion of a point; such as, *Whether glory is desirable?* Or it is comparative; such as, *Whether glory or riches are most desirable?* The simple kind is subdivided into three heads; things that are in their own nature to be sought or avoided; such as, *Whether honours are to be sought after?* *Whether poverty is to be avoided?* The next consists in an enquiry into what is right or wrong; for instance, *Whether it is right to revenge the injuries done to our friends or relations?* Lastly, what is becoming, what is base; for instance, *Whether it is becoming to meet death in order to purchase glory?* The modes
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of comparison are two ; the one, when the enquiry turns upon a dispute, whether the terms are synonymous or not ; as, *Whether DREAD and FEAR, KING and TYRANT, COMPLAISANCE and FRIENDSHIP*, are words of the same import. The other mode consists in examining what is most eligible ; for instance, *Whether wise men delight most in the praise of the opulent few, or of the multitude ?* And all the modes regarding *speculative* knowledge are generally laid down by the most learned men in the same manner.

CHAP. XXX.

As to what regards *practice*, it turns either upon an enquiry into the nature of a duty, under what head it is to be classed, or what is right to be done, or whether such a thing ought to be done at all ? This is a topic, which comprehends all the branches of virtue and vice. It turns upon the management of the passions, when and how they are to be moved, awakened, composed, or roused. This kind includes advices, threats, consolations, complaints, and every spring that inspires or allays the passions of the mind. Having thus explained the kinds and the modes of these discussions, give me leave to observe, that though there may be some small difference betwixt that division of Antony and mine, yet they are in the main the same ; for both our disquisitions

tions consist of the same members, although a little differently arranged. Now I will proceed to the rest, and confine myself to the task imposed on me. For all proofs, upon all kinds of questions that can arise, are to be taken from those topics which Antony has laid down ; but certain topics are best adapted to certain kinds. It is needless to speak any thing upon this subject, not because it is too tedious, but because it is sufficiently evident. Those speeches, therefore, are the most beautiful, which expatiate widest, and, instead of being confined to local and personal altercations, reason from general propositions, and, giving the hearers a complete view of the nature, the kind, and the extent of the subject, direct them in the application of these general principles to the particular parties, crimes, and pleas, under consideration. It was an habitual practice of this kind, young gentlemen, that Antony recommended, when he gave it as his opinion, that you ought to disregard the minute sterility of personal litigations, and apply to the exuberant energy of general reasonings. The writers upon eloquence were mistaken, when they thought that this was to be attained by reading a few dissertations : it extends farther than any thing that can be learned at Tusculanum, in a morning's walk, or in an evening's conversation like the present : for not only our tongue must be pointed and wrought as on an anvil, but our minds must be completely stored

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with the most important things, as with delicious, exuberant, and variegated treasures.

CHAP. XXXI.

IF, therefore, we are orators, if we are to preside, if we are to lead the controversies of citizens, in doubtful conjunctures, and public debates; it is our duty to acquire all that wisdom, all that learning, which men who were at leisure, have, during our occupation, unjustly seized as unclaimed property: nay, they went so far, that they either ridiculed orators like Socrates in Gorgias, or if, in a few commentaries, they laid down any rules of eloquence, they titled them books of *rhetoric*. As if the province of eloquence did not extend to what these rhetoricians have said upon justice, the civil duties, the founding and governing of states, the practice of morality, and even to the principles of natural philosophy. As we know not against whom else we are to enter our claim, we ought to strip those plunderers of our properties, provided we apply them to the knowledge of civil affairs, in which we are conversant, to which they belong, and which they regard. Let us not therefore, as I said before, waste our years in learning such points; no man can ever be master of the sources, if he is too long in descrying them; but when we have descried them, let him frequently and occasionally draw as much from them as may

serve the purpose he has in hand. For the eye of knowledge is not so piercing in any man, as to discern those mighty matters, unless they are pointed out; and after they are pointed out, so far are they from being wrapt in obscurity, that there is no man of quick apprehension but must discern them. As therefore an orator is at liberty to range this wide, this spacious field, in which he cannot tread but on his own property, he never can be at a loss for dignified and elegant expressions. His being master of the subject will give him the command of language; and if the points to which he speaks are of themselves laudable, their nature will communicate a lustre to his words. But it is still to be understood, that the speaker or the writer had from his youth received a liberal education, that he has thirst for knowledge, is invigorated by genius, and conversant in the boundless disputes arising upon general propositions: add to this, that he must be thoroughly acquainted with the best writers and orators, and accustomed to imitate them; such a one will have no occasion to apply to those teachers for the best method of arranging and embellishing his sentences. Thus, without any directions but those of nature, improved by practice, the exuberance of his ideas will supply him with the choicest words.

CHAP. XXXII.

ON this, Catulus observes: Immortal gods! Crassus, what a variety of subjects have you attained,

tained, and what force you display in the use of them, and from what confinement have you dared to bring an orator, in order to place him upon the throne of his ancestors? For the ancient authors and teachers, we understand, thought that no kind of disputation was exempted from them; and that they always professed to reason upon every subject, as their peculiar possession. Hippias of Elis, who was one of them, when he came to Olympia, while the famous Quinquennial games brought a prodigious resort to that place, boasted in the hearing of almost all Greece, that there was no point in any art, be it ever so extensive, of which he was ignorant. In this boast he comprehended not only the liberal arts, such as geometry, music, grammar, poetry, together with natural and moral philosophy and politics, but he told them, that with his own hand he made the ring which he wore on his finger, the cloak he had on his back, and the shoes that were on his feet. This perhaps was going too far; it may, however, serve to form a conjecture how passionately fond these orators were of the noblest arts, when they could stoop to the meanest. What shall I say of Prodicus of Chios—of Thrasymachus of Chalcedon—of Protagoras of Abdera?—who in their several ages entered very far, both in their conversations and writings, into natural philosophy. Gorgias of Leontium himself, whom, as an orator, Plato was pleased to rank below a philosopher, never was vanquished by Socrates, nor did the conference
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left us by Plato ever actually occur; but if in reality he was overcome, it was owing to Socrates being more eloquent, and, as you have said, to his being a fuller and a better speaker. But even he, in Plato's book, professes to treat with the greatest copiousness upon every thing that could become the subject of altercation or enquiry; and he distinguished himself by being the first to invite men there to propose what subject they pleased to discuss: these qualities gained him so much honour in Greece, that his statue at Delphos was all of gold, while the rest were but gilded. These, together with many others, who were the most learned professors of eloquence, were all contemporary; from them we may understand that the matter was as you represented it, and the profession of an orator in ancient Greece was both of greater extent, and in greater esteem, than it is in this country. Therefore, I am in some doubt whether you deserve most praise, or the Greeks most blame; since you, born in a country of a different language, and different manners, amidst the hurry of public business, and the distractions you experienced from almost all the private affairs of the city, from the concern you had in the administration and direction of a mighty empire, have been able so effectually to master so many important subjects, and to superadd to such attainments that political knowledge and practice, requisite to the greatest politician, and the greatest orator of the state; while the Greeks, who were born in the
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bosom of learning, impassioned with these studies, and melting in ease, so far from improving their patrimony, have not been able to transmit it to posterity, as full and free as it was left them by their ancestors.

CHAP. XXXIII.

It is not in this single business, replies Crassus to Catulus, but in many others, that arts have dwindled by being divided and separated from each other. Do you imagine, in the days of Hippocrates of Cos, that some were physicians, others surgeons, and others oculists; when Euclid or Archimedes taught geometry; Damon or Aristæus, music; Aristophanes or Callimachus, grammar; that these several arts were so subdivided, as that no single man comprehended the whole system of any one, and that each set aside a particular branch as his own profession? I have been often told by my father and father-in-law, that our countrymen, who sought to acquire glory by means of wisdom, used to grasp at every branch of knowledge at that time known in this city. They mentioned, as an instance of this, Sextus Ælius, and we ourselves have seen Manius Manilius walking across the forum, which was an intimation to all his countrymen, that they were welcome to consult him: and those who either walked about in this manner, or sat constantly at home in an elbow-chair, were resorted to, to have

have their advice, not only in matters of the civil law, but when they wanted to marry a daughter, to buy an estate, to improve a field: in short, upon all duties and business that could present. The wisdom which shone in the elder Crassus, in Titus Coruncanius, and the excellent Scipio, great grandfather to my son-in-law; who had been all of them high priests, was such, that they were consulted upon all matters, divine and human; and that they indiscriminately gave their advice and assistance in the senate, before the people, in the causes of their friends, at home and abroad. What was there wanting in M. Cato, besides his being polished by that foreign literature, which has since been imported into his own country? Did his knowledge of the civil law hinder his pleading with eloquence? Or did his eloquence make him neglect the study of the civil law? No; he employed himself, and became excellent in both. Did he shine less in his political character, by means of the great popularity he acquired as a private citizen? Before the people no man displayed more firmness; in the senate, no one was a more upright member: at the same time he was by far the best general we had: in short, he did not only investigate and learn, but was able to write upon every subject that was here studied in those times. On the other hand, persons at present stand candidates for honours and offices in the commonwealth, unadorned with the garb, unprotected with the arms of knowledge; or should

a candidate appear better qualified than the generality, he vaunts himself if he possess any one solitary endowment, such as courage or skill in war, qualities indeed now neglected; or if he be versed in the study of law, which in this age is not cultivated in its fullest extent, for the pontifical code has fallen into neglect; or if he be acquainted with eloquence, which is supposed to consist in a noisy flow of words. In short they cultivate not enlarged principles of knowledge, nor seem sensible of the connection which unites all the liberal arts.

CHAP. XXXIV.

BUT to return to the Greeks, who must be introduced, at least in this discourse, being a nation as much the standard of learning, as ours is of valour; it is said that seven persons, who were both reputed and termed philosophers, were all of them contemporary: and all of them, excepting Thales of Miletus, were the governors of the states they lived in. Was any man in his time more learned, or did any possess eloquence more enriched by literature, than Pisistratus, to whom the reducing from confusion, and disposing the books of Homer in their present order is attributed? He was not indeed of any great service to his fellow citizens, but then he was so famous for eloquence, that he passed for one of the first men in literature and erudition. What shall I say of Pericles?

Pericles? the copiousness of whose eloquence is reported to have been such, that when he spoke for the interests of his country, contrary to the sentiments of the Athenians, he knew, while he was saying very severe things against the favourites of the people, how to render his words delightful and agreeable to the people themselves: and the ancient actors, even while they were abusing him, a thing which was at that time lawful in Athens, allowed that the graces dwelt upon his tongue. Add to this that so great was the force with which he spoke, that he left a bitter sting in the bosoms of his hearers. But Pericles was not instructed by a pedant, whose prattling was regulated by a given time; for we are told that Anaxagoras of Clazomenæ, a man eminent for his knowledge of the most sublime subjects, was his master. This Pericles, therefore, who was distinguished by his learning, his politics, and eloquence, presided for forty years in Athens over all their affairs, both in peace and war. Need I mention Critias or Alcibiades? They were not indeed the best patriots, but can it be denied that they were learned, eloquent, and instructed from the mouth of Socrates? Who imparted to Dion of Syracuse the completest erudition? Was it not Plato? Was it not he who formed, not only his tongue to eloquence, but his mind to valour? Did he not impel, direct, and arm him, to rescue his country from her bondage? Were the arts then to which Plato formed Dion, different from those to which Isocrates formed

formed the famous Timotheus, the son of that excellent general Conon, and himself a very able commander, and a learned man. The same were the arts in which Lysis, the disciple of Pythagoras instructed Epiminondas of Thebes, who was perhaps the greatest man in Greece. The same those to which Xenophon formed Agesilaus; Archytas of Tarentum Philolaus; and Pythagoras all that part of Italy which formerly went under the name of Grecia Magna; nor can I be ever brought to believe they were not.

CHAP. XXXV.

THUS I can perceive that there was but one general kind of learning, which suited a man of letters, and him who wanted to make a figure in the state; and that whoever possessed this learning, a faculty to detail it with propriety, joined to a practice in speaking without any impediment from nature, made a figure in eloquence. Therefore Aristotle, seeing the success which Isocrates met with, by having his school full of men of quality, whereas he himself had transferred his lectures from civil causes and public disputes, to an empty elegance of expression, suddenly altered his method of teaching, and with some variation applied to himself a line relating to Philoctetes, where it is said, *That it was dishonourable to be silent, and hear BARBARIANS speak*: Aristotle changed

changed into *hear ISOCRATES speak*. He therefore embellished and enlightened this whole system, and joined the knowledge of things to the practice of speaking. Philip, that wise prince, was not insensible of this; for he sent for, and appointed him tutor to his son Alexander, who by his instructions improved in the exercises both of acting and speaking. It is therefore of no consequence whether the philosopher who talks eloquently is called an orator, or whether the orator who joins wisdom to eloquence is termed a philosopher: provided it is admitted that neither a knowledge of things, without ability to express them, nor a fluency of words, without ideas, be considered as deserving the name of eloquence: for my part, were I to take my choice, I should prefer good sense, though ineloquent, to nonsense, however flowing. But the palm must be given to eloquence joined with learning; and if philosophy be added to these, it puts the thing beyond controversy. But suppose they are separated, these two last qualities will be inferior to eloquence, because they unite in the greatest degree in a finished orator: but the knowledge of philosophy does not always imply eloquence; which, however it may be slighted by philosophers, yet appears quite necessary for giving the finishing touch to all the arts. When Crassus had done speaking a general pause ensued in the company.

CHAP.

CHAP. XXXVI.

INDEED, said Cotta, I cannot at all complain that your discourse has run into a subject different from that which you undertook to speak to; for you have taken upon you a larger share than what was allotted and enjoined you by us: but undoubtedly your province was to speak upon the method of illustrating a discourse; upon this you had entered, and divided the whole art of eloquence into four parts: after you had, as you said yourself, quickly and slightly, but, as we think, sufficiently, spoken to the two first parts, you left two still to be discussed; I mean the method of speaking with *gracefulness*, and next with *propriety*. Scarcely had you touched upon this, when the ardour of your mind snatched you far from the ground, and conveyed you almost out of our sight. You grasped the whole system of knowledge; but did not indeed communicate it to us; for it is a matter of too much magnitude to be imparted in so short a time; but I speak only for myself; I own, however, that you carried me into the heart of the academy. We wish what you have often advanced were true, I mean that it is unnecessary to consume one's life in these academical exercises; and that, in order to be master of them, it were sufficient to have a view of them. But, though they are difficult, and I am dull, yet never will I rest, never will I give over, before I am acquainted with all the artificial

artificial means of disputing, both for and against every question. There is one thing, Crassus, in your discourse, said Cæsar, which I own touches me; and that is, your denying that a man who does not learn a thing expeditiously can ever be able to learn it well; so that I may find it easy to try, and immediately learn those points, which you in your discourse have so prodigiously extolled; or, if I am incapable of that, I may lose no time, and take up with what I can pick up from my own countrymen. For my part, Crassus, said Sulpicius, I neither stand in need of your Aristotle, nor your Carneades, nor any of your philosophers; you are welcome either to think that I despair of such attainments, or to despise them: the knowledge, indifferent as it is, that I have attained in the ordinary practice of the bar, is sufficient for all the degrees of eloquence that I have in view, yet I am ignorant of many of those, and am at a loss for them when I am to plead a cause. Therefore, unless you are already tired, and unless we are troublesome to you, I beg that you would touch upon those properties that communicate splendor and dignity to a discourse; I wished to hear you speak upon this subject, not that I despair of attaining eloquence, but still want to improve in learning.

CHAP.

CHAP. XXXVII.

THE points you require me to discuss, answered Crassus, are common, and such as you are no stranger to: they are points upon which numbers of people have taught, lectured, and even written. But I will obey you, and what I know I will communicate in a few words; but I advise you still to recur to the authors and instructors of more minute details. Every speech, therefore, is made up of words, which we first consider by themselves, and then as standing with others. For one embellishment of speech consists in words considered singly, and in themselves; and another as they form a period or sentence. Let us therefore make use of words that are proper, adapted to the quality of what they express, and which grow out of the subject; or such as are used in a figurative and a new sense, or such as are invented, and coined by ourselves. With regard to proper words, a good orator will avoid all that are *low* and *obsolete*, and use those that are well-chosen, significant, full, and sounding. But in this choice the ear is to be consulted: and to this a graceful delivery is very necessary. The expression made use of by ignorant people, when they are criticising those who speak: *one man selects the best words; another is not equally happy in his selection*: is not the result of their learning, but of their natural sense. And this does not make it any great merit, if a speaker avoids

avoids improprieties, though there is a very great merit in it, but lays the whole foundation and ground-work of the whole, in the use and command of good words. But the subject of our present enquiry and illustration regards the superstructure and the embellishments reared by the orator.

CHAP. XXXVIII.

As to single words, then, there are three kinds, which the orator employs in illustrating and embellishing a speech; the *obsolete*, the *new-coined*, and the *metaphorical*. The *obsolete* are generally old, worn out, and have not for a long time been employed in common conversation; such words are more proper for poets than us. Yet sometimes a poetical expression gives a certain dignity to a speech: for I would not scruple to say with Cælius, *Quæ tempestate pænus in Italiam venit; nec prolem aut sobolem aut effari aut nuncupari*: nor with you, Catulus, *non rebar aut opinabar*; together with a great number of other expressions, which when they are happily disposed, often give a speech a greater air of *grandeur* and *antiquity*.ⁿ Words are new-coined two ways, when they

ⁿ The words of the original, that are in Italics, were rather obsolete, in the times of Cicero; yet Crassus says, that on certain occasions he would not hesitate to use them, as giving to his discourse a more venerable air.

they are produced and made by the person who uses them, either by composition, as, *Tum pavor sapientiam mihi omnem exanimato expectorat. Num non vis hujus me versutiloquas malitias.* Here you see *EXPECTORAT* and *VERSUTILOQUAS* are words made by composition and not invented. Or else words are often absolutely *invented*, as in Ennius, *Dii genitales*, or *baccarum ubertate incurvescere*. As to the third mode, which is that of metaphorical expression, it is very extensive, and was at first the effect of necessity and confinement within too narrow a compass; but afterwards it became agreeable, delightful, and usual. For as dress was at first invented to shelter us from the cold, and afterwards improved so as to be an ornament and distinction to the person. So those metaphorical expressions, which were invented from necessity, were adopted into common use from their agreeableness: for there is not a clown now, who does not speak of the *ruby grapes*, the *luxuriant grass*, and the *smiling corn*: for when a thing cannot be expressed so well by a proper as by a metaphorical term; the similarity of the subject from which the metaphor is borrowed gives a lustre to the signification. Metaphors, therefore, are words which are used, not in their own appropriate sense, but in a sense borrowed from a foreign object. But as to figures, employed by an orator, which are of a still bolder nature, and which are not enforced by necessity, but adopted as communicating additional elegance to his language; need I either
point

point out to *you* the manner of inventing them, or their kinds?

CHAP. XXXIX.

A METAPHOR, consisting in one word, which being substituted for another, if the similarity strikes, is delightful; if not, it is shocking. But all metaphorical expressions ought to illustrate the subject, as in the following verses:

The ocean shudders, while darkness palpable
Sits brooding on the deep, and pointed flashes
Glancing athwart the clouds, the vaulted dome
Of heaven all trembles with the thunder's peals.
Down from the windows of the sky descends
In mighty cataracts a gelid storm
Of rain commix'd with hail. Then the wing'd winds
Burst from their prisons, and in hurricanes
Sweep o'er the surface of the troubled deep.

Here almost all the metaphors are drawn from similar objects, to heighten the description of the storm. They are likewise employed to hint any thing that is done or intended, as when we want to paint a man who puzzles any thing, and purposely renders it unintelligible, we can do it by a metaphor of two words. *He entangles himself in a web of his own spinning.* A metaphorical expression sometimes is favourable to brevity, *Si telum manu fugit.* The random flight of the weapon
B b could

could not be briefly expressed in literal terms : but the metaphor *fugit* alone expresses it. And I have often been surprised upon this head, why we should be better pleased with metaphorical and foreign expressions, than with proper and unborrowed ones.

CHAP. XL.

FOR if an object has not a name appropriated to itself, as *the foot of a ship, the tongue of a balance, the divorce of a wife*, we are obliged to use metaphors to express them. But even where there is the greatest copiousness of proper, unborrowed expressions, people are generally better pleased with well-chosen metaphors. I imagine that this happens from its being a mark of genius to spurn obvious, easy expressions, and to borrow them from far-fetched subjects ; or because the hearer is drawn into a train of reflection, which carries him farther than he should otherwise go, and yet not out of his way : this is extremely agreeable : or it is owing to the expression presenting, at the same time, the object and the whole image ; or because all metaphors, at least such of them as are best chosen, are applied to the senses, especially the seeing, which of all senses is the most exquisite. Thus when we say, *the essence of politeness, the softness of good breeding, the murmur of waters, and sweetness of language* ; these metaphors are all taken

taken from the other senses. But the metaphors taken from the sense of seeing are much more striking, because they exhibit to the imagination objects which otherwise it is impossible for us to see or comprehend. For there is nothing in nature but what we may apply its name to signify some other object analogous to it. Where there subsists similitude, and similitude subsists between all things, a term thence borrowed adds lustre to a discourse. In the first place all dissimilarity is to be avoided in metaphors : as when Ennius says, *The mighty arches of heaven* ; though, as it is said, he brought a globe upon the stage to denote heaven, yet the spectators could perceive no similarity betwixt a globe and an *arch*.

———Live, Ulysses, while you may,
Then snatch a glance, and bid farewell to day.

Here the poet does not say, *take or receive* ; because such expressions might have implied, as if he hoped to live longer ; but he makes use of the word *snatch*, which agrees with what he says before, *while you may*.

CHAP. XLI.

WE must next take care that the simile is not too far-fetched ; for instance, I had rather say, *sco-*
B b 2 *pulum*

pulum than *syrtem patrimonii*, and *voraginem* than *Charybdim bonorum*;° for the eye of imagination is more easily directed to objects which have been exhibited to the sight, than those which one knows nothing of, but by hearsay. And because in metaphors the great excellency lies in the aptness of the image, we ought to avoid all images which present obscene ideas to the mind of the hearer: for instance, when I speak of the death of Africanus, I should not chuse to say, *That the republic was thereby gelded*; nor to call Glaucia, *the excrement of the senate*;^p for though the picture may strike, yet they convey unpleasant ideas to the mind. I would not chuse to have a simile suggest an idea that is disproportioned to the subject. As for instance, *tempestuous revelry* is too strong a figure; on the other hand *revelling tempest* is too weak; both which I would avoid. I should not chuse to have the metaphorical expression more circumscribed, than the proper and unborrowed one would

° Literally, I would rather say the *rock* than the *quicksand* of his inheritance, and the *gulf* than the *Charybdis* of his goods. Crassus alludes to some writer who had used these bold metaphors.

^p Nolo morte dici Africani castratam esse rempublicam. This is not a metaphor, but a paltry pun. *Africanus* (as if *Αφρογυνος*) bears some resemblance to the Greek *Aphroditos*, or *Androgynos*, a hermaphrodite. *Glaucia* also bears some resemblance to *cloaca*, a common shore; hence the paronomasia, *cloaca curia Glaucia*.

would have been; for instance, *Prithee what is the matter, why do you nod the people from you?* The author had much better have said, *Why do you hinder, prevent, frighten people?* Because he had said a little before; hence; away, my friends; the shadow of my presence is contagious to the worthy. If one is afraid that a metaphor be too harsh, it may be softened by throwing in an expression before it; for instance, if when M. Cato died, one had taken it in his head to have said, *that the senate was left an orphan*; that would have been a little too harsh, it might have been softened by the expression, *If I may venture to say it, an orphan*. For a metaphor, like a person in a strange place, ought to be introduced with *diffidence*; it ought not to rush in, but be brought in; it ought not to appear strained, but natural. But there is no artifice of composition that communicates greater gracefulness to particular expressions, or imparts greater lustre to a speech in general, than the metaphorical. For the beauty of this figure does not consist in one metaphorical expression, but is continued by a series of many, which being taken separate, have a different signification from what they have, as they stand connected with one another. Thus, *I will not suffer the Grecian fleet to strike again upon the same rock and weapon*. And, *You are mistaken, you are, for the strong curb of laws will suppress your insolence, and confidence, and will subject you to the yoke of their dominion*. Proper words, that

are borrowed from a similar object, as I have before observed, may be metaphorically applied to another thing.

CHAP. XLII.

THIS is the great ornament of language, and obscurity here, is, by all means, to be avoided: for it is from the *metaphorical* that the *ænigmatical* way of speaking arises; which last does not consist in words, but in periods; that is, in a series of figurative terms. The following metaphor does not consist in a word, but in the whole period; *Grim Afric trembles with tremendous noise*. Here Africa is put for the Africans. Nor is the word here made as in this, *the sea with rock-lashing waves*. Nor is it borrowed, as here, *the sea is softened*. But it is a literal term, substituted in place of another literal term, by way of ornament, as in the following instance, *Leave, O Rome, thy enemies*——And thus——*The spacious fields are witnesses*. Majesty of style often arises from ornament; for instance, we put *Mars* instead of *war*, *Ceres* for *corn*, *Bacchus* for *wine*, *Neptune* for the *sea*, *the house* for the *senate*, *the field* for the *assemblies of the people*, *the long robe* for *peace*, *arms* and *weapons* for *fighting*. In the same manner we personify virtues and vices to signify their several subjects. Thus we say, *The family which luxury has invaded; the place wherever avarice*
pene-

penetrates, truth prevailed, justice triumphed. Thus you completely see the nature of this figure. The same thing is expressed as in the literal sense, but the metaphor gives it greater ornament. There is another much of the same nature, which, though less ornamental, yet ought not to be overlooked. As when we put the part for the whole; or the whole for the part; as, for instance, speaking of a house, we may call it, *The walls*. Of a single troop, we may call it, *The cavalry of the Roman people*. Or we may express a multitude, by using the singular number; for instance, *Though the thing was bravely done, the Roman trembled*. Or one man may be spoken of in the plural number. Thus, *Before we were Rudians, now we are Romans*. But in all this figure it is not the letter, but the meaning that is regarded.

CHAP. XLIII.

WE often likewise misapply words, a practice that never has any good effect, but in metaphors; but though a great deal of liberty is used here, it sometimes has an happy effect. Thus speaking of an *important* discourse, we call it a *grand* one. Speaking of a *little* soul we call it a *diminutive* one. But you may perceive that all these metaphors do not consist in the word, but in the period, which, as I said before, is connected by several metaphorical expressions. But as to

those which I have mentioned to happen by alteration, or are to be understood otherwise than they are spoke, they are all in some sort metaphorical. Thus the whole force and beauty of single expressions arise from three circumstances; either when one uses an old word, which may, however, be tolerated, in the language of the present age; or when it is made either by composition, or creation, in which case the ears and practice of the public are to be consulted; or when the expression is metaphorical, which serves as so many stars to bespangle and illuminate a speech. The composition of style is our next consideration, which requires two things; arrangement and harmony. Arrangement so adapting the several words and members, as to exclude, in the flow of delivery, asperity and openness; and render the structure of the whole smooth and harmonious: as Lucilius, that elegant satirist, introduces the character of my father-in-law, saying with a great deal of wit,

Here finely jointed are the periods found,
Smooth as the art that plans the polish'd pavement.

As in these lines he plays upon Albucius, neither has he spared me. *I have a son-in-law more oratorical than even you, Crassus.*

What then! that same Crassus, as you have made free with his name, what has he effected? Why the very thing that both he and I wanted?
and

and I hope we have succeeded a little better than Albucius. But Lucilius always used to pass his jokes upon me. However, this arrangement of words is to be observed so as to render your style connected, smooth, and equable. This you effect, if the latter part of your period is joined to the preceding in such a manner as that there be neither a disagreeable roughness, nor too wide an opening.

CHAP. XLIV.

THE next thing I would recommend to your attention, is the fashion and form of your words, which I am afraid Catulus may think a childish consideration. But our forefathers thought, that in our prose we should employ a species of metrical harmony. For they required proper pauses in a style, where we may recover instead of losing our breath; and that these should not be left to the pointing of a transcriber, but be directed by the turn and manner of the words and periods. Isocrates is said to have first taught this, that he might regulate by certain numbers the loose, rambling style used by the ancients, and thereby, as his scholar Naucrates writes, give relief and pleasure to the ear. For musicians, who formerly were poets too, moulded their verses and their recitative into delightful harmony; so that the numbers of the one, and the melody of the other, prevented the ear from ever being satiated with pleasure.

pleasure. These two properties therefore, I mean the sweetness of delivery, and the closing of periods, were by them taken from poetry, and engrafted upon eloquence, as far as the gravity of prose could admit of. The chief difficulty here is to prevent your periods from running into poetry, for that would be a fault, and yet to give it all the ease, the harmony, the roundness, and finishing of numbers. And perhaps the chief distinction betwixt a good and a bad speaker is, that the one indiscriminately and unskilfully pours out all he has to say, without stopping, but from want of breath. But an orator connects his sentiments with his words in such a manner, as to confine both within periods which are musical, without being confined. For though he restricts his style to periods, and to measures, yet he relieves and unbends it by varying the stops and cadence; so that his words are neither cramped by the fetters of versification, nor ramble into wild licentiousness.

CHAP. XLV.

IN what way then are we to proceed, in order to obtain this harmony in composition? Why the matter is not so difficult as it is necessary. For there is not any one thing in the world so pliable, so flexible, so ductile, and so obsequious, as language. It produces equal and unequal measures in poetry, and is the material from which we form prose of
various

various measures and different kinds. The words we use in conversation are the same we use in pleading; and the words that form our language in common life, are the same with those we employ in plays and orations. But then after we have raised them from their groveling, common import, we then mould and fashion them at pleasure, like the softest wax. By these means our style is sometimes majestic, sometimes delicate, and sometimes moderate. By these means our language is adapted to the sentiment we profess, and is suited and accommodated to every purpose, whether depending upon soothing the ear, or touching the passions. But in speaking, the same thing happens which may be discovered in most of the other surprising operations of nature, that the subjects which are of the greatest utility contain the greatest dignity, and often the greatest beauty. We see that the œconomy of the universe, and of nature, is accommodated to the general safety and happiness. The concavity of the heavens, the central position of the self-balanced earth, the rotation of the sun through all the gradations and revolutions of the seasons, the access and recess of the moon, by which the radiancy she derives from the sun is regulated; and the unequal revolutions of the five other planets, are all so many convincing proofs of this truth. So unvarying are the properties which effect all these causes, that the least alteration would dissolve the whole system; and so beautifully is their œconomy, that fancy can form
nothing

nothing so fair. Let us now reflect upon the form and figure of man, and even of other animals; there you find that every member has its proper use; and that the finishing of the whole speaks not a blind chance, but a providential wisdom.

CHAP. XLVI.

How wonderful is the vegetable creation, where there is not a stock, a bough, nor even a leaf, which does not operate in preserving and propagating its own nature, yet all is beauty. Let us pass from nature to the arts: in a ship, what is more necessary than the sides, the keel, the prow, the stern, the yards, the sails, the masts? Yet all together appear so comely, that they seem not as designed for preservation only, but for beauty. Pillars support porticos and temples; yet they are not more graceful than they are useful. It was not beauty, but necessity, that contrived the noble cupola of the Capitol, and of other sacred edifices. For the contrivance to let down the rain on each side of the building, occasioned the lofty appearance it makes: so that though the Capitol stood in the heavens, where no rain can fall, the majesty of its structure would be lost without its cupola. The same observation holds good with regard to eloquence, almost in all its parts: for there wit and harmony almost attends utility; and, I may say, necessity. For the stops

and divisions of periods were first introduced for recovering the breath, and sparing the lungs; and yet in their own nature they are so musical, that though one's lungs were inexhaustible, yet we should not wish for continuity of style, without any stops. Such a sympathy subsists betwixt what is agreeable to our ears, and what is not only possible, but easy, for our lungs.

CHAP. XLVII.

THE longest period is marked by the time which comprehends the longest breath: but though this is the suggestion of nature, art has a different standard. For as there is diversity of numbers, your favourite Aristotle, Catulus, prohibits an orator from the frequent use of the iambic and trochaic measures; yet they naturally run into our language and discourse: but the strokes, and the quickness of these feet have too strong an effect upon the ear; therefore he recommends dactyls, anapests, and spondees, which are used in hexameters, as most proper for our purpose; for we can make free with two or more feet, and thereby avoid falling into poetry or versification. There are dissyllabic measures, with which these three hexameters occur with good effect in the beginning of periods. But Aristotle, chiefly approves of the *peon*, which is two-fold; for it consists either of one long and two short syllables,

lables,[†] or of three short, and one long syllable. Our philosopher recommends that we begin with the former of these peons, and conclude with the latter, which is not determined by the number of syllables, but by the more accurate and exact judgment of the ear: this measure is equal almost to the *creticus*, which consists of a long, a short, and a long syllable. Fannius, by setting out in this measure, thought it more proper, than the stops with which long syllables are generally terminated.

CHAP. XLVIII.

BUT in using these quantities we are not so strictly limited to measure as poets are, who are obliged to be exact both in their numbers and versification, so that there must not be a syllable either longer or shorter than what the rules of prosody prescribe. Prose is more free, and in plain

[†] The author here gives examples of this figure, as *definite, incipite, compromite*; but as these are given only for their measure, and not their meaning, we have not thought proper to translate them.

[†] *Domuerant sonipedes.* Orig.

[†] Our author gives an instance of this measure in a Latin line:

Quid polam presidi, aut exequar? Quove nunc;
and tells us that Fannius set out with this measure in the following words, *Si quirites minas illius.* *Ille* in the original may mean Aristotle.

plain terms it is, as it is called, an unconfined style, but without looseness and rambling, for it regulates itself without constraint. For I think with Theophrastus, that a finished, polished style, ought not to have a regular, but a flowing harmony of periods. He is likewise of opinion that the Anapestus was composed out of those measures that make up the heroic, as being of a more unconfined nature; that this was followed by the dithyrambus, which is more free and luxuriant still, its quantities and measures being diffused through all florid styles. And if, in every modulation of voice, in all cadences of periods, harmony consists in certain effects they have upon the ear, and a well-timed measure betwixt every stop, the true excellency of a prose style lies in rightly judging this measure, and taking care that it have no regular returns that may tire the ear. For if an everlasting flowing prate, without stop, without pauses, is disagreeable in all respects, what is the reason, but because the ear modulates the voice, which can have no harmony if it keeps no *TIME*. But there is no *TIME* where there are no *STOPS*. The intermission and striking of sounds, either at equal or unequal intervals, make *TIME*. We may observe *TIME* in water falling drop by drop, but cannot in a rolling river. If style, therefore, considered as a fluxion of words, is much more proper and agreeable when marked by stops and periods; it is plain that its members ought to be under some regulation. If the close of a period is quick and short,

short, it spoils its roundness; for so the Greeks term the turn of a style. Therefore the syllables at the close of a period, should be equal to the foregoing, and these to what preceded them; or else what is much better and more musical, they ought to be longer.

CHAP. XLIX.

SUCH, Catulus, are the precepts of your favourite philosophers, whom I often quote, that I may under their sanction avoid the imputation of trifling. How so, replied Catulus, do you imagine then that you could have brought any thing into your discourse that is more elegant or more delicate? But, answers Crassus, I am afraid that these young gentlemen will fancy it more difficult than it really is; or because I have not delivered it in the common terms, that I affect to make it seem important and difficult. You are mistaken, Crassus, said Catulus again, if you imagined that either I, or any of this company, expected from you any thing trite or common. You have spoken on the very points we wished to hear from you; and your manner is still more agreeable than your matter; this I boldly pronounce, not only for myself, but in the name of all present. For my part, says Antony, I recant what I advanced in my dissertation, that no man can be *eloquent*; for I have now found such a man. But I do not intend to divert you in the
short

short time you have for finishing your discourse, nor shall one word of mine, even in your praise, misemploy it. You must therefore, resumed Crassus, be regulated by this standard, uniting practising in speaking and writing, which gives perfection and polish to many other attainments, but especially to eloquence. But this is no such mighty task as it appears, for you are not bound down to the rigid laws of poetry and music; all you have to do is to take care that your style be neither loose nor rambling; that it be neither abrupt nor diffusive; that its members be distinguished, and the periods well rounded: nor are we always to indulge in a lengthened flow of sentences, but should curtail the clauses, and give our sentiments a pointed brevity, cemented nevertheless in harmonious numbers. Do not be startled at the *peon*, or the *hexameters* I have mentioned; you will naturally fall into them, they will present, they will offer themselves to your service, if, while you practise speaking and writing, you close your periods with verbs, and these verbs are compounded of free, easy measures, such as the *heroic*, the first *peon*, or the *creticus*; but the close ought still to be varied and diversified, for it is there that the *sameness* is chiefly observable; and if the first and the last feet are regulated by this rule, the intervening will pass unobserved; but care must still be taken that the period does not too frequently return, or be protracted beyond what the breath and the strength of the lungs will admit of.

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CHAP,

CHAP. I.

BUT it is my opinion that you ought, above all things, to pay particular attention to the close of your sentences, for in these we chiefly judge of the polish and perfection of style. In composing verses, an error in the beginning, in the middle, and in the end, is equally perceptible; and it shocks wherever the blunder lies; but in prose, very few mind the beginning, but most people the end of a period; and these, because they are most striking and best understood, must be varied, lest either the judgment be offended or the ear satiated. For the two or three last feet are to be observed and marked, provided the foregoing were not short and quick, for they ought to be either *chorian*, *heroic*, or *alternate*, or of the last kind of *peon*, which is approved of by Aristotle; or the *creticus*, which is equal to that. When these are skilfully diversified, the ear of the hearer is neither cloyed by *sameness*, nor does it seem to have cost any trouble to the speaker. But if Antipater of Sidon, whom you, Catulus, well knew, was accustomed to pour forth unpremeditated *hexameter*, and other verses, in a variety of measures; and if practice so much improved a man of his great genius and memory, who was no sooner in a humour to versify, than words followed of course, how much more easy is it for us to attain the same end in prose by use and practice? But if any one should be surprised that

that these things are discerned and marked by the most vulgar hearer; he needs but only reflect how great and surprising the force of nature is in every thing, especially in this; for every man has within him a certain tacit sense, which enables him to distinguish what is right or wrong in the arts and sciences, and this without instruction or information. If this observation holds good with regard to pictures, statues, and other works, in criticising which, they have less assistances from nature, it is much more evident in the judgment they form of words, harmony, and delivery, because this is a judgment implanted in the senses that are common to all mankind: it is a faculty of which nature never meant any rational creature to be absolutely destitute. Therefore people are not only moved by a judicious disposition of words, but even with their harmony and sounds. For how few are judges of number and measures, yet we see, on the least slip in quantity, the whole theatre resounding with the hisses of the audience. Will not then the same thing happen with regard to words, so that they may not only in a period and a sentence be disagreeable to the people, not only in a body but separately?

CHAP. II.

It is surprising there should be so great a difference in the talents of the learned and unlearned,

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and yet so little in those required to judge of both; for art, which is but the offspring of nature, appears ineffectual, unless she touches and delights nature; but nothing harmonizes so much with our intellectual faculties as sounds; by them we rise, we kindle, then sink and languish; they often put us in a cheerful, and often in a melancholy mood; their wonderful magic is best adapted to verses and odes; therefore I imagine our learned Prince Numa, and our ancestors, were sensible of this, as appears by the musical instruments introduced in the solemn banquets, and the verses of the Sali; but they were chiefly used in ancient Greece, and I wish you had chosen that my discourse had turned upon these, and such other subjects, rather than upon the metaphorical use of words: but as the common people can perceive a fault in the quantity of a verse; so they are sensible when there is a lameness in prose; but they never pardon the poet, though they indulge us; yet all of them secretly perceive that there is a defect in that propriety and perfection we have mentioned. Therefore the ancients, as we see some now-a-days, when they were unable to complete the roundness, and, as it were, the sweep, of a period, a thing that we have lately either effected or attempted, have supplied it with three words, or two, and some with one; and in the infancy of civilization, by pleasing the ear in its demand, this answered their purpose, which was, to have words in their periods

riods respondent to, and at equal pauses from, one another.

CHAP. LII.

THUS I have, as well as I am capable, explained whatever belongs to the ornaments of style; for I have considered the propriety of words by themselves, as forming a period, and as forming it with gravity and harmony. But if I am to speak as to the drapery, or the colouring of speech; that ought to be full, but terse; it ought to be delicate, yet lively and strong; and such as to possess a moderate share of excellence in both kinds. These three characters should display a colouring, resembling not the tinsel of art, but the flush of nature. Then, our orator is to be furnished both as to words and sentiments, in the same manner as a fencing-master instructs his scholars, not only how to give or parry a thrust, but how to move with graceful attitudes. Composition and gracefulness of style consist in words, but its majesty and dignity in sentiments. The changes that may be made in words and sentiments are almost infinite: this I know you are sufficiently apprized of; but there is this difference in the construction of words and sentiments, that the former is destroyed by not preserving the identical words, but the beauty of sentences will remain the same in whatever language they are cloathed. Though you practise this, yet I

think fit to put you in mind of it, lest you should imagine that an orator has any thing else to do, at least, any thing that can produce a beautiful and surprising effect, than to observe three things with regard to each particular word: to use metaphorical words frequently, invented words occasionally, but antiquated words seldom. But in the thread of a discourse, after we have studied smoothness and harmony, as abovementioned, the whole is to be illuminated with splendid diction and noble sentiments.

CHAP. LIIL.

FOR the figure by which *we dwell upon one subject* is of great efficacy, as is a perspicuous illustration, and a lively representation of facts in the manner in which they happened. This is very serviceable, first in representing an affair, then in illustrating that representation; and next, in heightening it, so that to our hearers we render the subject as ample as it is in the power of words to make it. Opposite to this figure is *precision*, which hints rather than fully explains your meaning; as is likewise *brevity*, in which consist *perspicuity* and *conciseness*, together with *extenuation* and *allusion*, which coincides with Cæsar's rules. Then comes *digression*, which, as it is delightful, your resuming your subject ought to be proper and agreeable; then follows the *proposition* of what you are to speak to; then its *dis-*
junction

junction from what hath been already said; then you *return* to what you proposed; then you *recapitulate*; then you *draw*, from the premises, *your conclusion*; then you *enhance* or *evade* the truth, according as your intention is to *exaggerate* or *extenuate*; then you *examine*, and, what is very near a-kin to examination, you *expostulate* and *answer* upon your own principles; then succeeds that bewitching figure *irony*, by which a different thing is understood from what is expressed, a figure that has the most agreeable effects in a discourse, when introduced, not by way of argument, but entertainment; then comes *dubitation*; then *distribution*; then the *correction* of what you have either said, or are to say; or when you are to repel any thing from yourself. *Premunition* regards the point you attempt to prove; then there is *throwing the blame* upon another; then there is *communication*, which is a kind of *deliberation* with those to whom you speak; then there is the *imitation of morals and life*, either when you name or conceal the characters they belong to; this greatly embellishes a speech, and is chiefly calculated for conciliating the favour, but often for moving the passions of the audience. Then follows an *imaginary induction* of real persons, which is, perhaps, the most dignified splendor which amplification can impart; then *description*; then the *induction* of a mistake; the *impulsion* to cheerfulness; then *prepossession*; together with those two figures that have so strong an effect, I mean *comparison*
and

and *example*; then comes *unravelling*, *interruption*, *straining*, *suppression of what you insinuate you know*, *commendation*; a more free, and even unbridled style when you want to *exaggerate*, and to give an *emphasis* to your expression; then comes *anger*, *chiding*, *promising*, *deprecating*, *beseeking*, a short *deviation* from your subject, but not of the same nature with *digression*, which I have already mentioned; then *apologising*, *conciliating*, *blaming*, *wishing*, and *execrating*. It is chiefly by these figures that sentiments give beauty to eloquence.

CHAP. LIV.

As to the figures of style, they serve as in the case of fencing, either to shew how well the master can aim; and, as it were, fetch a blow; or how gracefully he can handle his weapons. For the repetition of a word sometimes gives force to a style, at other times it shews wit, as does a small variation or alteration in a word. A frequent repetition of the same word from the beginning, or the resuming it in the close of a speech; the giving force to words, and then making the same words meet, adjoin and proceed together with putting a certain mark of distinction upon a particular word which you often resume; and those which have the like terminations, and the like cadences; those which form the respondent parts of a period, and have a mutual relation to
one

one another. There is likewise a certain *gradation* and *conversion*, with a well-judged *transposition* of words; there is then their *opposition*, and *detachment* from one another, by throwing out *conjunctive particles*; then *evasion*, *reprehension*, *exclamation*, *diminution*; and what is placed in many cases; and what is drawn from particular propositions and applied to particular subjects; and the *method of laying down a proposition*, together with subdividing it into several parts, and *concession*, and another kind of *doubting* and *surprise*, and *enumerating*, and another *correction*, and *dissipating*, *continuity*, and *interruption*, and *representation*, and *answering one's self*, and *immutation* and *disjunction*, and *order* and *relation*, and *digression* and *precision*. These, or the like, perhaps there may be more, are the figures that illustrate the sentiments and the style of a speech.

CHAP. LV.

I PERCEIVE, said Cotta, that you have poured forth those points without definitions, and without examples, because you imagine that we are acquainted with them. For my part, said Crassus, I did not imagine that any thing I have spoken of is unknown to you, all I meant was to comply with your orders. But I see by the declining sun, that I ought to be short upon those heads. He will speedily set, and accordingly I
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have hurried over these things with speed. But the explanation and rules relating to this kind, are in common use; though the application of them is very important, and the most difficult part in all the practice of eloquence. Therefore as to the embellishments of style, if they are not all of them laid open, yet at least the topics from which they are borrowed have been pointed out. Now let us consider *propriety*, by which I mean *gracefulness* of style. There is no general rule for this; for one kind of style cannot agree with every cause, every hearer, every character, every juncture; nothing is more evident than that capital actions must be discussed in a language different from those we use in private and trifling cases; debates, panegyrics, trials, discourses, consolations, reprimands, disputation, and history, require each a different style. We ought likewise to regard the character of those before whom we speak, whether it be in the senate house, or before the people, in a court of justice; whether to a crowded, or a thin audience, or to one person; we ought likewise to have some regard to our own age, our rank and character, and likewise to the juncture in which we speak, whether it be in the time of peace or war, of hurry or leisure. Therefore we can lay down no general rule upon this head, but, as it suits the different occasions, to employ the three different styles we have mentioned, the full, the slender, and the middling, and to make a judicious use of almost the same ornaments. In short, the utmost efforts.

forts of art and nature consist in our being able to judge of, and to do what is most becoming our character and the occasion.

CHAP. LVI.

BUT the effect of all those particulars depends upon the *action*. Action is the predominant power in eloquence. Without it the best speaker can have no name, and with it a middling one may obtain the highest. It is said that Demosthenes, when asked what was the first constituent in eloquence, he answered, action was the first, the second, and the third. This makes the story told by Æschines much better: after he had lost a cause, he retired in disgrace from Athens to Rhodes, where, at the request of the Rhodians, he read that fine oration, which he pronounced against Ctesiphon, who was defended by Demosthenes: after he had finished it, he was requested next day to read that which was pronounced by Demosthenes for Ctesiphon; which he did with a charming full voice. When every body was expressing their applause, *How would you have applauded*, says he, *if you had heard the author himself deliver it?* By this he intimated what a vast influence *action* had, since the change of the *actor* could make the same speech appear in a quite different light. What was it, Catulus, which, as you well remember, so much distinguished Gracchus, and which, when a boy,

a boy, I heard so much extolled. *Wretch that I am, whither shall I retreat? Whither shall I turn me? To the Capitol? The Capitol streams with my brother's blood. To my family? There must I see a wretched, a mournful and afflicted mother?* It appears that those words were accompanied with such expression in his eyes, in his voice, and his gesture, that even his enemies could not refrain from tears. I have been the longer on this head, because it has been wholly neglected by orators, who are the actors of truth, and taken up by players, who are but its mimics.

CHAP. LVII.

YET, doubtless, in all cases, truth has the advantage of imitation; but if in action nature were sufficient for our purpose, we should have no occasion for having recourse to the rules of art. But since the passions of the soul, which are to be chiefly expressed or represented by action, are often so confused, as to be quite obscured and almost obliterated; the causes of this obscurity must be dispelled, and advantages must be taken of those that are most unclouded and accessible. For nature has given every passion its peculiar expression in the look, the voice, and the gesture; and the whole frame, the look, and the voice of a man are responsive to the passions of the mind, as the strings of a musical instrument are

are to the fingers that touch them. For as a musical instrument has its different keys, so every voice is sharp, full, quick, slow, loud, or low, and each of these keys have different degrees; which beget other strains, such as the smooth and the sharp, the contracted and lengthened, the continued and interrupted, the broken and divided, the tender, the shrill and the swelling; all these require to be managed with art and discretion. And the orator makes use of them, as the painter does of his colours, to give variety to his piece.

CHAP. LVIII.

ANGER has a peculiar pronunciation, which is quick, sharp, and broken.

My bloody brother gives me his advice
To tear my tender children with my teeth.
O what a cursed wretch must I be then?

Like that Antony, which you mentioned.

Durst you part with him?

And the following:

Ah! mark you this; quick! bind him:

And so of almost the whole tragedy of Atreus.

The tone of pity and grief is different; it is full, moving, broken, and mournful.

Where shall I turn me? Whither shall I fly?
To my paternal seat, or Pelias' daughters?

And

And in the verse already mentioned ;

O my father ! O my country ! O the house of Priam !

And the following :

—————All is in a blaze,

And Priam lies a lifeless corpse on land ; I saw it.

Fear is low, diffident, and humble :

With what variety of wretchedness

Am I surrounded ! sickness, exile, want !

Then fear drives resolution from my breast,

And death in tortures hovers o'er my head !

Where is the breast so steel'd, the heart so brave,

But melts and trembles at the dreadful prospect ?

Vehemence demands a strain that is intense,
strong, and majestically threatening. Thus—

Again *THYESTES* to my bed approaches,

And wakes me from my slumber ;

Alas ! a mightier weight of woe must crush me ;

I have a draught more bitter still to drink ;—

Could I pluck out his heart, and rend its strings—

Pleasure is diffusive, soft, tender, cheerful, and
gay :

But when to me the nuptial crown he brought,

And seem'd to give it to another's hand ;

How gay, how charming, was the wanton boy ?

How did his dandling steal my heart away.

Uneasiness is of another sort, it is oppressive
without commiseration, and its tone is grave
and uniform :

When in unhallow'd nuptials Helen gave

Her hand to Paris ; then my bearing time

Was near completed ; then the Queen of Priam

Gave to the world her darling Polydore.

CHAP.

CHAP. LIX.

BUT all these emotions ought to be accompanied with action ; not theatrical action, limited to particular words, but extended to the whole discourse ; aiding the sense, not by pointing, but by emphasis, a strong manly action, borrowed from the use of arms, or the school of arts, and not from stage performers. The hand ought not to saw the air, and the fingers in moving should follow the words, and not precede, as it were, to point them out. The arm ought to be stretched forward, as if to brandish the bolts of eloquence ; and the stamping the foot ought to take place, either in the beginning or the end of a debate. But all depends upon the face, and all the power of the face is centered in the eyes. This our old men are the best judges of ; for they were not lavish of their applause, even to *Roscus* when he was in a mask. All action depends upon the passions, of which the face is the picture, and the eyes the interpreters. For this is the only part of the body that can express all the passions ; nor can any one who looks another way create the same emotions. *Theophrastus* used to apply to one *Tauriscus*, who averted his face from the audience when he was repeating his part, the epithet *aversus*. Therefore a great deal consists in the right management of the eyes, for the features of the face ought not to be altered too much, lest we become ridiculous or disgusting.

gustful. It is by the vividness, or the languor of the eye, by a dejected, or a cheerful look, that we express the emotions of the heart, and accommodate what we say, to what we feel. Action is, as it were, the language of the body, and therefore ought to correspond to the thought. For Nature, as she has supplied the horse and the lion with a mane, a tail, and ears, to express their feelings, has endowed the eyes of mankind with the same properties. Therefore in the action of an orator, the look takes place next to the voice, for the eyes direct the features. But nature has given a particular force to all the modifications of action; therefore we see it has great effect upon the ignorant, the vulgar, and the greatest upon foreigners who are unacquainted with our tongue. Words affect none but him who understands the language; and sentiments that are pointed, often escape the undiscerning. But an action expressive of the passions of the mind, is a language universally understood; for the same expressions have the same effects in all circumstances, and all men know them in others by the same characters which express them in themselves.

CHAP. LX.

BUT the chief excellence to be admired in a good delivery, is a fine voice. If an orator possess not a good voice, it ought, such as it is, to be improved. I shall not here point out in what man-

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ner the voice becomes susceptible of improvement; but I think it of great importance that the means of improving it should be cultivated. But the train of my discourse leads me to repeat the observation I made a little while ago, that what is most useful is most becoming; I know not how this happens, but it is certain that in speaking nothing tends more to acquire an agreeable voice, than frequently to relax it, by passing from one strain to another, and nothing tends more to injure it than violent exertion unrelieved by modulation. What gives greater pleasure to our ears, and more charms to delivery, than judicious transitions, variety, and change? Therefore, Catulus, you might have heard from Licinius, who is your client, a man of learning, and the secretary of Gracchus, that Gracchus made use of an ivory flute, which a man who stood privately behind him, while he was speaking, touched so skilfully, that he immediately struck the proper note, when he wanted either to quicken or to soften the vehemence of his voice. I have heard him tell it, replied Catulus, and I often admired the application, the learning, and the knowledge of the man. For my part, says Crassus, I am grieved at the misfortunes of those great men, and yet I see the same political game renewed, the same dissolute manners advancing on the state, to convince posterity that we desire to encourage citizens in crimes which were intolerable to our forefathers. Leave, Crassus, I pray you, says Julius, these reflections, and re-

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turn

turn to Gracchus's flute, the nature of which I do not yet thoroughly understand.

CHAP. LXI.

IN every modulation of voice, replied Crassus, there is a mean peculiar to itself. The gradual rising of the notes from this base is both proper and pleasing, but to set out with bawling has something in it very clownish, and is as hurtful to the voice, as the other method is salutary. In short, there is a certain straining to which the flute will not suffer you to rise, but bring you down to the proper note; and there is somewhat in the lowering the voice, which on the other hand is very grave, but must sink through all the several degrees of the scale. This variety, and this progression through all the tones will both preserve the voice, and give a sweetness to the action. As to the flute, you may leave it at home, but the spirit of such a practice you ought to carry to the har.

I have, as far as the time would allow, to the best of my abilities, which fall short of my inclination to serve you, delivered my sentiments on this subject: for it is a convenient excuse to lay the fault on the time when we have nothing farther to add. For my part, replies Catulus, your discourse has been so truly excellent, that to me you seem not to have been a scholar of the Greeks, but capable of being their teacher, and I rejoice

rejoice that I am one of this company. I only wish your companion, and my son-in-law Hortensius had been of the party. I hope that one day he will attain all those charms of eloquence you have so well described. *He will be*, answers Crassus, give me leave to say he *is so* already; and I thought so when he pleaded the cause of the Africans in the senate while I was consul; and my good opinion of him was increased by his late oration in favour of the King of Bithynia. For which reason, Catulus, your hope is well-founded respecting him; for I am of opinion that nothing which either genius or learning can communicate, is wanting in that young orator. This, Cotta and Sulpicius, ought to render you the more vigilant and active, since before he had reached your age he has exhibited unusual powers of oratory; his parts are quick, his application indefatigable, his learning eminent, and his memory excellent. I love him much, and wish that he may excel all those of his own age: but it will hardly be decorous, if he should out-strip those who so far surpass him in years. But let us now, adds he, rise, and, by relaxing, relieve our minds from the severity of this conversation.

FINIS.

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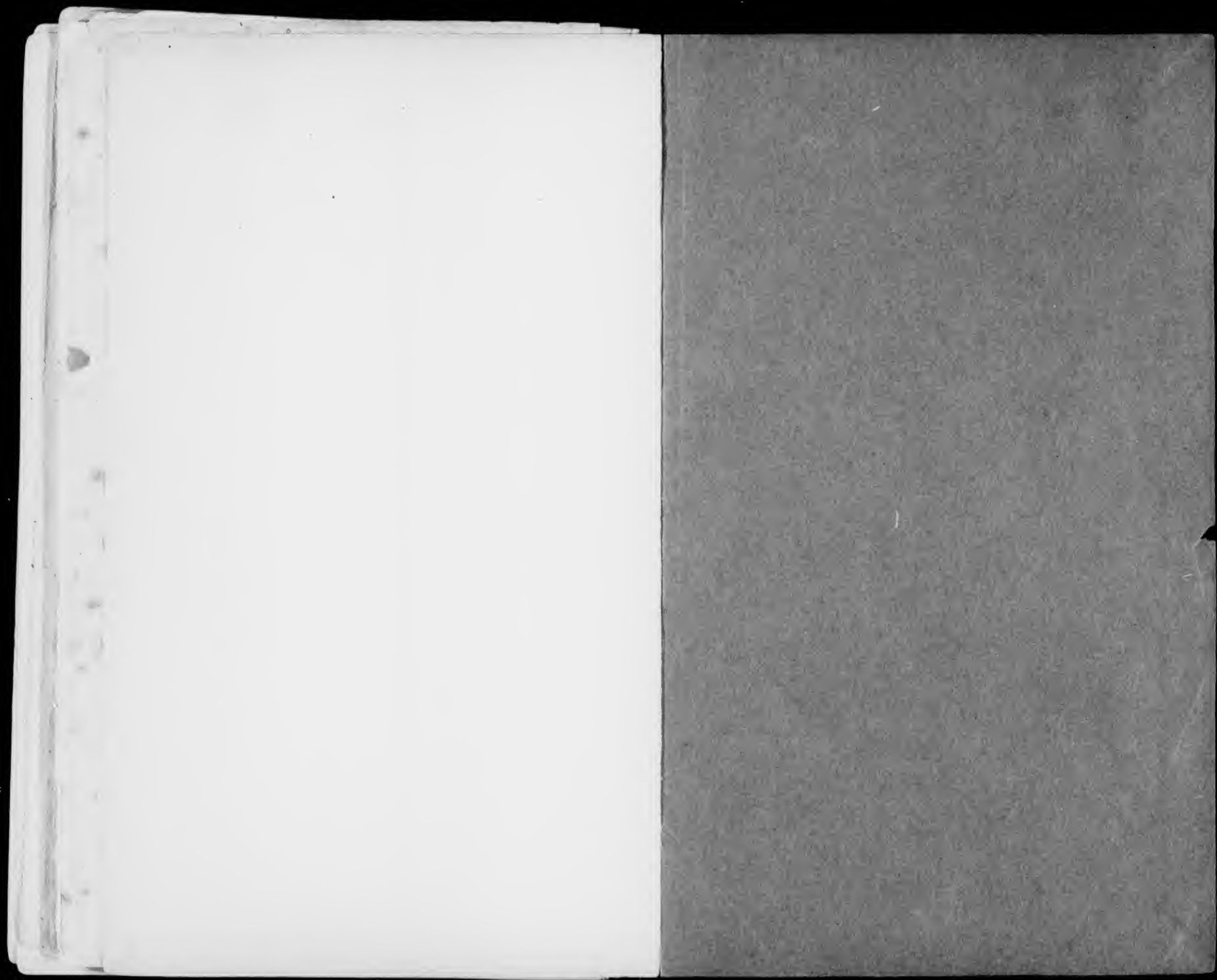
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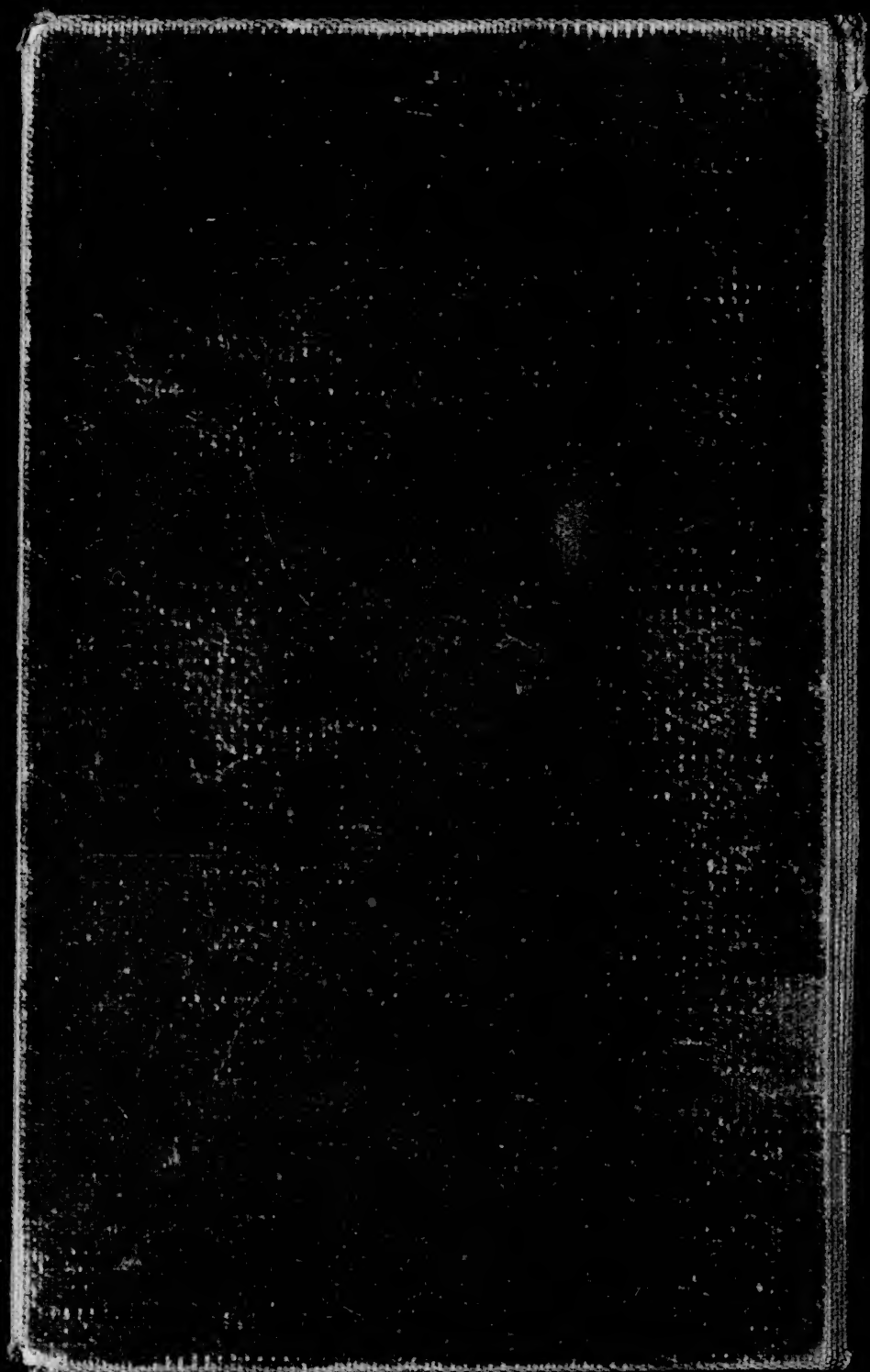
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1808.

P R E F A C E.

AS the following rhetorical pieces have never appeared before in the English language, I thought a translation of them would be no unacceptable offering to the public. The character of the author (Marcus Tullius Cicero) is so universally celebrated, that it would be needless, and indeed impertinent, to say any thing to recommend them. The first of them was the fruit of his retirement, during the remains of the *civil war* in Africa; and was composed in the form of a dialogue. It contains a few short, but very masterly sketches of all the speakers who had flourished either in Greece or Rome, with any reputation of eloquence, down
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to his own time; and as he generally touches the principal incidents of their lives, it will be considered by an attentive reader, as a *concealed epitome of the Roman history*. The conference is supposed to have been held with Atticus, and their common friend Brutus, in Cicero's garden at Rome, under the statue of Plato, whom he always admired, and usually imitated in his dialogues; and he seems in this to have copied even his *double titles*, calling it *Brutus, or the History of famous Orators*. It was intended as a *supplement, or fourth book*, to three former ones, on the qualifications of an orator. The second, which is entitled *The Orator*, was composed a very short time afterwards (both of them in the 61st year of his age) and at the request of Brutus. It contains a plan, or critical delineation of what he himself esteemed the most finished eloquence, or style of speaking. He calls it *The Fifth Part*,

or

or *Book*, designed to complete his *Brutus*, and the former three on the same subject. It was received with great approbation; and in a letter to Lepta, who had complimented him upon it, he declares, that whatever judgment he had in speaking, he had thrown it all into that work, and was content to risk his reputation on the merit of it. But it is particularly recommended to our curiosity, by a more exact account of the rhetorical *composition*, or *prosaic harmony* of the ancients, than is to be met with in any other part of his works. As to the present translation, I must leave the merit of it to be decided by the public; and have only to observe, that though I have not, to my knowledge, omitted a single sentence of the original, I was obliged, in some places, to paraphrase my author, to render his meaning intelligible to a modern reader. My chief aim was to be clear and perspicuous: if I have succeeded in
that

that, it is all I pretend to. I must leave it to abler pens to copy the *eloquence* of Cicero. *Mine* is unequal to the task.

BRUTUS;

OR THE

HISTORY OF ELOQUENCE.

WHEN I had left Cilicia, and arrived at Rhodes, word was brought me of the death of Hortensius. I was more affected with it than, I believe, was generally expected. For, by the loss of my friend, I saw myself for ever deprived of the pleasure of his acquaintance, and of our mutual intercourse of good offices. I likewise reflected, with concern, that the dignity of our college must suffer greatly by the decease of such an eminent augur. This reminded me, that *he* was the person who first introduced me to the college, where he attested my qualification upon oath; and that it was *he* also who installed me as a member; so that I was bound by the constitution of the order to respect and honour him as a parent. My affliction was increased, that, in such a deplorable dearth

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of wise and virtuous citizens, this excellent man, my faithful associate in the service of the public, expired at the very time when the commonwealth could least spare him, and when we had the greatest reason to regret the want of his prudence and authority. I can add, very sincerely, that in *him* I lamented the loss, not (as most people imagined) of a dangerous rival who opposed my reputation, but of a generous associate who engaged with me in the pursuit of fame. For if we have instances in history, though in studies of less importance, that some distinguished poets have been greatly afflicted at the death of their contemporary bards; with what tender concern should I honour the memory of a man, with whom it is more glorious to have disputed the prize of eloquence, than never to have combated as an antagonist! especially, as he was always so far from obstructing *my* endeavours, or *I his*, that, on the contrary, we mutually assisted each other with our credit and advice. But as *he*, who had a perpetual run of felicity,^a left the world

Quoniam perpetua quadam felicitate usus ille, cessit e vita, suo magis quam suorum civium tempore. This fine sentiment, conveyed in so elegant a language, carries an allusion

world at a happy moment for himself, though a most unfortunate one for his fellow-citizens; and died when it would have been much easier for him to lament the miseries of his country, than to assist it, after living in it as long as he *could* have lived with honour and reputation;—we may, indeed, deplore his death as a heavy loss to *us* who survive him. If, however, we consider it merely as a personal event, we ought rather to congratulate his fate, than to pity it; that, as often as we revive the memory of this illustrious and truly happy man, we may appear at least to have as much affection for him as for ourselves. For if we only lament that we are no longer permitted to enjoy him, it must, indeed, be acknowledged that this is a heavy misfortune to *us*; which it, however, becomes us to support with moderation, lest our sorrow should be suspected to arise from motives of interest, and not from friendship. But if we afflict ourselves, on the supposition that *he* was the sufferer,—we misconstrue an event, which to *him* was certainly a very happy one.

If to the conversation of Solon with Cræsus, in which the former maintained the seeming paradox, that he alone can be deemed happy who meets a happy death. See Herod. Clio. 32.

If Hortensius was now living, he would probably regret many other advantages in common with his worthy fellow-citizens. But when he beheld the forum, the great theatre in which he used to exercise his genius, no longer accessible to that accomplished eloquence, which could charm the ears of a Roman, or a Grecian audience; he must have felt a pang of which none, or at least but few, besides himself, could be susceptible. Even I indulge heart-felt anguish, when I behold my country no longer supported by the talents, the wisdom, and the authority of law,—the only weapons which I have learned to wield, and to which I have long been accustomed, and which are most suitable to the character of an illustrious citizen, and of a virtuous and well regulated state. But if there ever was a time, when the authority and eloquence of an honest individual could have wrested their arms from the hands of his distracted fellow-citizens; it was then when the proposal of a compromise of our mutual differences was rejected, by the hasty imprudence of some and the timorous mistrust of others. Thus it happened, among other misfortunes of a more deplorable nature, that when my declining age, after a life spent in the service of the public,

should have reposed in the peaceful harbour, not of an indolent, and a total inactivity, but of a moderate and honourable retirement; and when my eloquence was properly mellowed, and had acquired its full maturity;—thus it happened, I say, that recourse was then had to those fatal arms, which the persons who had learned the use of them in honourable conquest, could no longer employ to any salutary purpose. Those, therefore, appear to me to have enjoyed a fortunate and a happy life, (of whatever state they were members, but especially in ours) who, together with their authority and reputation, either for their military or political services, are allowed to enjoy the advantages of philosophy: and the sole remembrance of them, in our present melancholy situation, was a pleasing relief to me, when we lately happened to mention them in the course of conversation.

For, not long ago, when I was walking for my amusement in a private avenue at home, I was agreeably interrupted by my friend Brutus, and T. Pomponius, who came, as indeed they frequently did, to visit me;—two worthy citizens who were united to each other in the closest friendship, and were so dear and so

agreeable to me, that, on the first sight of them, all my anxiety for the commonwealth subsided. After the usual salutations,—Well, gentlemen, said I, how go the times? What news have you brought? None, replied Brutus, that you would wish to hear, or that I can venture to tell you for truth. No, said Atticus; we are come with an intention that all matters of state should be dropped; and rather to hear something from you, than to say any thing which might serve to distress you.—Indeed, said I, your company is a present remedy for my sorrow; and your letters, when absent, were so encouraging, that they first revived my attention to my studies. I remember, replied Atticus, that Brutus sent you a letter from Asia, which I read with infinite pleasure: for he advised you in it like a man of sense, and gave you every consolation which the warmest friendship could suggest.—True, said I, for it was the receipt of that letter which recovered me from a growing indisposition, to behold once more the cheerful face of day; and as the Roman state, after the dreadful defeat near Cannæ, first raised its drooping head by the victory of Marcellus at Nola, which was succeeded by many other victories;

victories; so, after the dismal wreck of our affairs, both public and private, nothing occurred to me, before the letter of my friend Brutus, which I thought to be worth my attention, or which contributed, in any degree, to ease the anxiety of my heart. That was certainly my intention, answered Brutus; and if I had the happiness to succeed, I was sufficiently rewarded for my trouble. But I could wish to be informed what you received from Atticus, which gave you such uncommon pleasure. That, said I, which not only entertained me; but, I hope, has restored me entirely to myself. Indeed! replied he; and what miraculous composition could that be?—Nothing, answered I, could have been a more acceptable, or a more seasonable present, than that excellent treatise of his, which roused me from a state of languor and despondency.—You mean, said he, his short, and, I think, very accurate abridgment of universal history. The very same, said I; for that little treatise has absolutely saved me.

I am heartily glad of it, said Atticus; but what could you discover in it which was either new to you, or so wonderfully beneficial as you pretend? It certainly furnished many hints,

said I, which were entirely new to me : and the exact order of time which you observed through the whole, gave me the opportunity I had long wished for, of beholding the history of all nations in one regular and comprehensive view. The attentive perusal of it proved an excellent remedy for my sorrows, and led me to think of attempting something on your own plan, partly to amuse myself, and partly to return your favour, by a grateful, though not an equal acknowledgment. We are commanded, it is true, in that precept of Hesiod, so much admired by the learned, to return with the same measure we have received ; or, if possible, with a larger. As to a friendly inclination, I shall certainly return you a full proportion of it ; but as to a recompence in kind, I confess it to be out of my power, and therefore hope you will excuse me : for I have not, as husbandmen are accustomed to have, gathered a fresh harvest out of which to repay the kindness ^b I have received ; my whole

^b Non enim ex novis, ut agricolæ solent, fructibus est, ~~made~~ libi reddam quod accepi. The allusion is to a farmer, who, in time of necessity, borrows corn or fruit of his more opulent

whole harvest having sickened and died, for want of the usual manure : and as little am I able to present you with any thing from those hidden stores which are now consigned to perpetual darkness, and to which I am denied all access ; though, formerly, I was almost the only person who was able to command them at pleasure. I must, therefore, try my skill in a long-neglected and uncultivated soil ; which I will endeavour to improve with so much care, that I may be able to repay your liberality with interest ; provided my genius should be so happy as to resemble a fertile field, which, after being suffered to lie fallow a considerable time, produces a heavier crop than usual.

Very well, replied Atticus, I shall expect the fulfilment of your promise : but I shall not insist upon it till it suits your convenience ; though, after all, I shall certainly be better pleased if you discharge the obligation. And I also, said Brutus, shall expect that you perform your promise to my friend Atticus : nay, though I am only his voluntary solicitor, I shall,

opulent neighbour, which he repays in kind as soon as his harvest is gathered home. Cicero was not, he says, in a situation to make a similar return.

shall, perhaps, be very pressing for the discharge of a debt, which the creditor himself is willing to submit to your own choice. But I shall refuse to pay you, said I, unless the original creditor takes no farther part in the suit. This is more than I can promise, replied he, for I can easily foresee, that this easy man, who disclaims all severity, will urge his demand upon you, not indeed to distress you, but yet, with earnestness and importunity.—To speak ingenuously, said Atticus, my friend Brutus, I believe, is not much mistaken: for as I now find you in good spirits, for the first time, after a tedious interval of despondency, I shall soon make bold to apply to you; and as this gentleman has promised his assistance, to recover what you owe me, the least I can do is to solicit, in my turn, for what is due to him. Explain your meaning, said I.—I mean, replied he, that you must write something to amuse us; for your pen has been totally silent this long time; and since your treatise on politics, we have had nothing from you of any kind; though it was the perusal of that which fired me with the ambition to write an abridgment of universal history. But we shall, however, leave you to answer this demand, when,
and

and in what manner you shall think most convenient. At present, if you are not otherwise engaged, you must give us your sentiments on a subject on which we both desire to be better informed. And what is that? said I. A work which you had just begun, replied he, when I saw you last at Tusculanum,—the History of Famous Orators,—*when* they made their appearance, and *who* and *what* they were; which furnished such an agreeable train of conversation, that when I related the substance of it to *your*, or I ought rather to have said our *common* friend Brutus, he expressed an ardent desire to hear the whole of it from your own mouth. Knowing you, therefore, to be at leisure, we have taken the present opportunity to wait upon you; so that, if it is really convenient, you will oblige us both by resuming the subject. Well, gentlemen, said I, as you are so pressing, I will endeavour to satisfy you in the best manner I am able.—You are *able* enough, replied he; only unbend, or rather, if possible, set at full liberty your mind. If I remember right, said I, Atticus, what gave rise to the conversation, was my observing, that the cause of Deiotarus, a most excellent sovereign, and a faithful ally,

was pleaded by our friend Brutus, in my hearing, with the greatest elegance and dignity.

True, replied he, and you took occasion from the ill success of Brutus, to lament the loss of a fair administration of justice in the forum. I did so, answered I, as indeed I frequently do : and whenever I see you, my Brutus, I am concerned to think where your wonderful genius, your finished erudition, and unparalleled industry will find a theatre to display themselves. For after you had thoroughly improved your abilities, by pleading a variety of important causes ; and when my declining vigour was just giving way, and lowering the ensigns of dignity to your more active talents ; the liberty of the state received a fatal overthrow, and that eloquence, of which we are now to give the history, was condemned to perpetual silence. Our other misfortunes, replied Brutus, I lament sincerely ; and I think I ought to lament them :—but as to eloquence, I am not so fond of the influence and the glory it bestows, as of the study and the practice of it, which nothing can deprive me of, while you are so well disposed to assist me : for no man can be an eloquent speaker, who has not a clear and ready conception. Whoever, there-

fore,

fore, applies himself to the study of eloquence, is at the same time improving his judgment, which is a talent equally necessary in all military operations. Your remark, said I, is very just ; and I have a higher opinion of the merit of eloquence, because, though there is scarcely any person so diffident as not to persuade himself, that he either has, or may acquire every other accomplishment which, formerly, could have given him consequence in the state ; I can find no person who has been made an orator by the success of his military prowess. But that we may carry on the conversation with greater ease, let us seat ourselves.—As my visitors had no objection to this, we accordingly took our seats in a private lawn, near a statue of Plato. Then resuming the conversation,—To recommend the study of eloquence, said I, and describe its force, and the great dignity it confers upon those who have acquired it, is neither our present design, nor has any necessary connection with it. But I will not hesitate to affirm, that whether it is acquired by art or practice, or the mere powers of nature, it is the most difficult of all attainments ; for each of the five branches of which it is said to consist, is of itself a very important art ;

from

from whence it may easily be conjectured, how great and arduous must be the profession which unites and comprehends them all.

Greece alone is a sufficient witness of this : for though she was fired with a wonderful love of eloquence, and has long since excelled every other nation in the practice of it, yet she had all the rest of the arts much earlier ; and had not only invented, but even compleated them, a considerable time before she was mistress of the full powers of elocution. But when I direct my eyes to Greece, your beloved Athens, my Atticus, first strikes my sight, and is the brightest object in my view : for in that illustrious city the *orator* first made his appearance, and it is there we shall find the earliest records of eloquence, and the first specimens of a discourse conducted by rules of art. But even in Athens there is not a single production now extant which discovers any taste for ornament, or seems to have been the effort of a real orator, before the time of Pericles (whose name is prefixed to some orations which still remain) and his contemporary Thucydides ; who flourished,—not in the infancy of the state, but when it was arrived at its full maturity of power. It is, however, supposed, that

that Pisistratus (who lived many years before) together with Solon, who was something older, and Clisthenes, who survived them both, were very able speakers for the age they lived in. But some years after these, as may be collected from the Attic annals, came the above-mentioned Themistocles, who is said to have been as much distinguished by his eloquence as by his political abilities ;—and after him the celebrated Pericles, who, though adorned with every kind of excellence, was most admired for his talents as a speaker. Cleon also, their contemporary, through a turbulent citizen, was allowed to be a tolerable orator. These were immediately succeeded by Alcibiades, Critias, and Theramenes ; the character of their eloquence may be easily inferred from the writings of Thucydides, who lived at the same time : their discourses were nervous and stately, full of sententious remarks, and so excessively concise as to be sometimes obscure.

But as soon as the force of a regular and a well-adjusted style was understood, a crowd of rhetoricians immediately appeared—such as Gorgias the Leontine, Thrasymachus the Chalcædonian, Protagoras the Abderite, and Hippias the Elean, who were all held in great esteem,

esteem,—with many others of the same age, who professed (it must be owned rather too arrogantly) to teach their scholars,—*how the worse might be made, by the force of eloquence, to appear the better cause.* But these were openly opposed by Socrates, who, by a subtle method of arguing peculiar to himself, took every opportunity to refute the principles of their art. His instructive conferences produced a number of intelligent men, and *Philosophy* is said to have derived her birth from him; not the doctrine of *Physics*, which was of an earlier date, but that *Philosophy* which treats of men, and manners, and of the nature of good and evil. But as this is foreign to our present subject, we must defer the philosophers to another opportunity, and return to the orators, from whom I have ventured to make a short digression. When the professors, therefore, abovementioned, were in the decline of life, Isocrates made his appearance, whose house stood open to all Greece as the *school of eloquence.* He was an accomplished orator, and an excellent teacher; though he did not display his talents in the splendour of the forum, but cherished and improved within the walls of an obscure academy, that glory which,
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in my opinion, no poet has ever yet acquired. He composed many valuable specimens of his art, and taught the principles of it to others; and not only excelled his predecessors in every part of it, but first discovered that a certain *metre* should be observed in prose, though totally different from the measured rhyme of the poets. Before *him*, the artificial structure and harmony of language was unknown;—or if there are any traces of it to be discovered, they appear to have been made without design; which, perhaps, will be thought a beauty:—but whatever it may be deemed, it was, in the present case, the effect rather of native genius, or of accident, than of art and observation. For nature herself teaches us to close our sentences within certain limits; and when they are thus confined to a moderate flow of expression, they will frequently have an harmonious cadence: for the ear alone can decide what is full and complete, and what is deficient; and the course of our language will necessarily be regulated by our breath, in which it is excessively disagreeable, not only to fail, but even to labour.

After Isocrates came Lysias, who, though not personally engaged in forensic causes, was
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a very accurate and an elegant composer, and such a one as you might almost venture to pronounce a complete orator : for Demosthenes is the man who approaches the character so nearly, that you may apply it to him without hesitation. No keen, no artful turns could have been contrived for the pleadings he has left behind him, which he did not readily discover ;—nothing could have been expressed with greater nicety, or more clearly and poignantly, than it has been already expressed by him ;—and nothing greater, nothing more rapid and forcible, nothing adorned with a nobler elevation, either of language or sentiment, can be conceived, than what is to be found in his orations. He was soon rivalled by his contemporaries Hyperides, Æschines, Lycurgus, Dinarchus, and Demades, (none of whose writings are extant,) with many others that might be mentioned : for this age was adorned with a profusion of good orators ; and to the end of this period appears to me to have flourished that vigorous and blooming eloquence, which is distinguished by a natural beauty of composition, without disguise or affectation. When these orators were in the decline of life, they were succeeded by Phale-

reus, then in the prime of youth. He indeed surpassed them all in learning, but was fitter to appear on the parade, than in the field ; and, accordingly, he rather pleased and entertained the Athenians, than inflamed their passions ; and marched forth into the dust and heat of the forum, not from a weather-beaten tent, but from the shady recesses of Theophrastus, a man of consummate erudition. He was the first who relaxed the force of eloquence, and gave her a soft and tender air : and he rather chose to be agreeable, as indeed he was, than great and striking ; but agreeable in such a manner as rather charmed, than warmed the mind of the hearer. His greatest ambition was to impress his audience with a high opinion of his elegance, and not, as Eupolis relates of Pericles, to *animate* as well as to *please*.

You see, then, in the very city in which eloquence was born and nurtured, how late it was before she grew to maturity ; for before the time of Solon and Pisistratus, we meet with no one who is so much as mentioned as an able speaker. These, indeed, if we compute by the Roman date, may be reckoned very ancient ; but if by that of the Athenians, we shall find them to be moderns. For though

they flourished in the reign of Servius Tullius, Athens had then subsisted much longer than Rome has at present. I have not, however, the least doubt that the power of eloquence has been always more or less conspicuous. For Homer, we may suppose, would not have ascribed such superior talents of elocution to Ulysses and Nestor (one of whom he celebrates for his force, and the other for his sweetness,) unless the art of speaking had then been held in some esteem; nor could the poet himself have attained a style so finished, nor exhibit such fine specimens of oratory as we actually find in him. The time, indeed, in which he lived is undetermined; but we are certain that he flourished many years before Romulus, and as early at least as the elder Lycurgus, the legislator of the Spartans. But a more particular attention to the art, and a greater ability in the practice of it, may be observed in Pisistratus. He was succeeded in the following century by Themistocles, who, according to the Roman date, was a person of the remotest antiquity; but according to that of the Athenians, he was almost a modern. For he lived when Greece was in the height of her power, and when the city of Rome had but lately

lately been emancipated from the shackles of regal tyranny;—for the dangerous war with the Volsci, who were headed by Coriolanus (then a voluntary exile), happened nearly at the same time as the Persian war; and we may add, that the fate of both commanders was remarkably similar. Each of them, after distinguishing himself as an excellent citizen, being driven from his country by the insults of an ungrateful people, went over to the enemy: and each of them repressed the efforts of his resentment by a voluntary death. For though you, my Atticus, have represented the death of Coriolanus in a different manner, you must pardon me if I do not subscribe to the justness of your representation.

You may use your pleasure, replied Atticus, with a smile: for it is the privilege of rhetoricians to exceed the truth of history, that they may have an opportunity of embellishing the fate of their heroes: and accordingly, Clitarchus and Stratocles have entertained us with the same pretty fiction about the death of Themistocles, which you have invented for Coriolanus. Thucydides, indeed, who was himself an Athenian of the highest rank and merit, and lived nearly at the same time, has only in-

formed us that he died, and was privately buried in Attica, adding, that it was suspected by some that he had poisoned himself. But these ingenious writers have assured us, that, having slain a bull at the altar, he caught the blood in a large bowl, and, drinking it off, fell suddenly dead upon the ground. For this species of death had a tragical air, and might be described with all the pomp of rhetoric ; whereas the ordinary way of dying afforded no opportunity for ornament. As it will, therefore, suit your purpose, that Coriolanus should resemble Themistocles in every thing, I give you leave to introduce the fatal bowl ; and you may still farther heighten the catastrophe by a solemn sacrifice, that Coriolanus may appear in all respects to have been a second Themistocles. I am much obliged to you, said I, for your courtesy : but, for the future, I shall be more cautious in meddling with history when you are present ; whom I may justly commend as a most exact and scrupulous relator of the Roman history ; but nearly at the time we are speaking of (though somewhat later) lived the above-mentioned Pericles, the illustrious son of Xantippus, who first improved his eloquence by the friendly aids of literature ;—not that kind
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of literature which treats professedly of the art of speaking, of which there was then no regular system ; but after he had studied under Anaxagoras, the naturalist, he directed with alacrity his attention from abstruse and intricate speculations to forensic and popular debates. All Athens was charmed with the sweetness of his language, and not only admired him for his fluency, but was awed by the superior force and the *terrors* of his eloquence.

This age, therefore, which may be considered as the infancy of the art, furnished Athens with an orator who almost reached the summit of his profession : for an emulation to shine in the forum is not usually found among a people who are either employed in settling the form of their government, or engaged in war, or struggling with difficulties, or subjected to the arbitrary power of kings. Eloquence is the attendant of peace, the companion of ease and prosperity, and the tender offspring of a free and a well-established constitution. Aristotle, therefore, informs us, that when the tyrants were expelled from Sicily, and private property, after a long interval of servitude, was secured by the administration of justice, the Sicilians, Corax and Tisias (for this people,

in general, were very quick and acute, and had a natural turn for disquisition) first attempted to write precepts on the art of speaking. Before them, he says, no one spoke by prescribed method, conformably to rules of art, though many discoursed very sensibly, and generally from written notes: but Protagoras took the pains to compose a number of dissertations, on such leading and general topics as are now called *common places*. Gorgias, he adds, did the same, and wrote panegyrics and invectives on every subject: for he thought it was the province of an orator to be able either to exaggerate, or extenuate, as occasion might require. Antiphon the Rhamnusian composed several essays of the same species; and (according to Thucydides, a very respectable writer, who was present to hear him) pleaded a capital cause in his own defence, with as much eloquence as had ever yet been displayed by any man. But Lysias was the first who openly professed the *art*; and, after him, Theodorus, being better versed in the theory than the practice of it, began to compose orations for others to pronounce; but confined to himself the art of composing them. In the same manner, Isocrates at first declined to teach

teach the art, but wrote speeches for other people to deliver: on which account, being often prosecuted for assisting, contrary to law, to circumvent one or another of the parties in judgment, he left off composing orations for other people, and wholly applied himself to prescribe rules, and reduce them into a system.

Thus, then, we have traced the birth and origin of the orators of Greece, who were, indeed, very ancient, as I have before observed, if we compute by the Roman annals; but of a much later date, if we reckon by their own: for the Athenian state had signalized itself by a variety of great exploits, both at home and abroad, a considerable time before she became enamoured with the charms of eloquence. But this noble art was not common to Greece in general, but almost peculiar to Athens. For who has ever heard of an Argive, a Corinthian, or a Theban orator, at the times we are speaking of? unless, perhaps, some merit of the kind may be allowed to Epaminondas, who was a man of uncommon erudition. But I have never read of a Lacedemonian orator, from the earliest period of time to the present. For Menelaus himself, though
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said by Homer to have possessed a sweet elocution, is likewise described as a man of few words. Brevity, indeed, upon some occasions, is a real excellence; but it is very far from being compatible with the general character of eloquence. The art of speaking was likewise studied, and admired, beyond the limits of Greece; and the extraordinary honours which were paid to oratory have perpetuated the names of many foreigners who had the happiness to excel in it. For no sooner had eloquence ventured to sail from the Piræus, but she traversed all the isles, and visited every part of Asia; till at last infected with their manners, she lost all the purity and the healthy complexion of the Attic style, and indeed almost forgot her native language. The Asiatic orators, therefore, though not to be undervalued for the rapidity and the copious variety of their elocution, were certainly too loose and luxuriant. But the Rhodians were of a sounder constitution, and more resembled the Athenians. So much, then, for the Greeks; for, perhaps what I have already said of them, is more than was necessary. Respecting the necessity of it, answered Brutus, there is no occasion to speak: but what you have

have said of them has entertained me so agreeably, that instead of being longer, it has been much shorter than I could have wished. A very handsome compliment, said I; but it is time to begin with our own countrymen, of whom it is difficult to give any further account than what we are able to conjecture from our annals.

For who can question the address, and the capacity of Brutus, the illustrious founder of your family? That Brutus, who so readily discovered the meaning of the oracle, which promised the supremacy to him who should first salute his mother? That Brutus, who under the appearance of stupidity concealed the most exalted understanding? Who dethroned and banished a powerful monarch, the son of an illustrious sovereign? Who settled the state, which he had rescued from arbitrary power, by the appointment of an annual magistracy,
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* The words here alluded to occur in Livy: Imperium summum Romæ habebit, qui vestrū primus, O juvenes, osculum matri tulerit. This at first was interpreted of Tarquin, who kissed his mother. But Brutus gave the words a different and more ingenious turn. He illustrated their meaning, by falling down, and kissing the earth, the common mother of all mankind.

a regular system of laws, and a free and open course of justice? And who abrogated the authority of his colleague, that he might banish from the city the smallest vestige of the *regal* name?—Events, which could never have been produced without exerting the powers of persuasion!—We are likewise informed that a few years after the expulsion of the kings, when the Plebeians retired to the banks of the Anio, about three miles from the city, and had possessed themselves of what is called the *Sacred Mount*, M. Valerius the dictator appeased their fury by a public harangue; for which he was afterwards rewarded with the highest posts of honour, and was the first Roman who was distinguished by the surname of *Maximus*. Nor can L. Valerius Potitus be supposed to have been destitute of the powers of utterance, who, after the odium which had been excited against the Patricians by the tyrannical government of the *Decemviri*, reconciled the people to the senate, by his prudent laws and conciliatory speeches. We may likewise suppose, that Appius Claudius was a man of some eloquence; since he dissuaded the senate from consenting to a peace with king Pyrrhus, though they were much inclined

inclined to it. The same might be said of Caius Fabricius, who was dispatched to Pyrrhus to treat for the ransom of his captive fellow-citizens; and of Titus Coruncanius, who appears, by the memoirs of the pontifical college, to have been a person of the greatest genius: and likewise of M. Curius (then a tribune of the people) who, when the Interrex Appius *the Blind*, an able speaker, held the *Comitia* contrary to law, by refusing to admit any consuls of Plebeian rank, prevailed upon the senate to protest against the conduct of his antagonist; which, if we consider that the *Mænian* law was not then in being, was a very bold attempt. We may also conclude that M. Pompilius was a man of abilities, who, in the time of his consulship, when he was solemnizing a public sacrifice in the proper habit of his office, (for he was also a Flamen *Carmen-talis*) hearing of the mutiny and insurrection of the people against the senate, rushed immediately into the midst of the assembly, covered as he was with his sacerdotal robes, and quelled the sedition by his authority and the force of his elocution. I do not pretend to have historical evidence that the persons here mentioned were then reckoned orators, or that any

any sort of reward or encouragement was given to eloquence : I only infer what appears very probable. It is also recorded, that C. Flaminius, who, when tribune of the people proposed the law for dividing the conquered territories of the Gauls and Piceni among the citizens, and who, after his promotion to the consulship, was slain near the lake Thrasimenus, became very popular by historical talents. Quintus Maximus Verrucosus was likewise reckoned a good speaker by his contemporaries ; as was also Quintus Metellus, who, in the second Punic war, was joint-consul with L. Veturius Philo.

But the first person we have any certain account of, who was publicly distinguished as an *orator*, and who really appears to have been such, was *M. Cornelius Cethegus* ; whose eloquence is attested by Q. Ennius, a voucher of the highest credibility ; since he actually heard him speak, and gave him this character after his death ; so that there is no reason to suspect that he was prompted by the warmth of his friendship to exceed the bounds of truth. In the ninth book of his annals, he has mentioned him in the following terms :

Additur

*Additur orator Corneliu' suaviloquenti
Ore Cethegus Marcu', Tuditano collega,
Marci Filius.*

Add the orator M. Cornelius Cethegus, so much admired for his mellifluent tongue ; who was the colleague of Tuditanus, and the son of Marcus. He expressly calls him an *orator*, you see, and attributes to him a remarkable sweetness of elocution ; which, even in the present times, is an excellence of which few are possessed : for some of our modern orators are so insufferably harsh, that they may be said rather to bark than to speak. But what the poet so much admires in his friend, may certainly be considered as one of the principal ornaments of eloquence. He adds ;

———*is dictus, ollis popularibus olim,
Qui tum vivebant homines, atque ærum agitabant,
Flos delibatus populi.*

He was called by his contemporaries, the choicest flower of the state. A very elegant compliment ! for as the glory of a man is the strength of his mental capacity, so the brightest ornament of genius is eloquence ; in which, whoever had the happiness to excel, was beautifully

tifully styled, by the ancients, the *flower* of the state ; and, as the poet immediately subjoins,

————— *Suadaque medulla :*

The very marrow and quintessence of persuasion. That which the Greeks call Πείθω, (*i. e. persuasion*) and which it is the chief business of an orator to effect, is here called *suada* by Ennius ; and of this he commends Cethegus as the *quintessence* ; so that he makes the Roman orator to be himself the very substance of that amiable goddess, who is said by Eupolis to have dwelt on the lips of Pericles. This Cethegus was joint-consul with P. Tuditanus in the second Punic war ; at which time also M. Cato was quæstor, about one hundred and forty years before I myself was promoted to the consulship ; which circumstance would have been absolutely lost, if it had not been recorded by Ennius ; and the memory of that illustrious citizen, as has probably been the case of many others, would have been buried in the ruins of antiquity. The manner of speaking which was then in vogue, may easily be collected from the writings of *Nævius* : for Nævius died, as we learn from the memoirs
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of the times, when the persons above-mentioned were consuls ; though Varro, a most accurate investigator of historical truth, thinks there is a mistake in this, and fixes the death of Nævius something later. For Plautus died in the consulship of P. Claudius and L. Porcius, twenty years after the consulship of the persons we have been speaking of, and when Cato was censor. Cato, therefore, must have been younger than Cethegus, for he was consul nine years after him : but we always consider him as a person of the remotest antiquity, though he died in the consulship of Lucius Marcius and M. Manilius, and but eighty-three years before my own promotion to the same office.

He is certainly, however, the most ancient orator we have, whose writings may claim our attention ; unless any one is pleased on account of the above mentioned speech respecting the peace with Pyrrhus, or a series of panegyrics on the dead, which I own, are still extant, to compliment Appius with that character. For it was customary in most families of note to preserve their images, their trophies of honour, and their memoirs, either to adorn a funeral when any of the family deceased, or

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to perpetuate the fame of their ancestors, or prove their own nobility. But the truth of history has been much corrupted by these encomiastic essays; for many circumstances were recorded in them which never existed, such as false triumphs, a pretended succession of consulships, and false alliances and elevations, when men of inferior rank were confounded with a noble family of the same name: as if I myself should pretend that I am descended from M. Tullius, who was a Patrician, and shared the consulship with Servius Sulpicius, about ten years after the expulsion of the kings. But the real speeches of Cato are almost as numerous as those of Lysias the Athenian; under whose name a great number are still extant. For Lysias was certainly an Athenian; because he not only died but received his birth at Athens, and served all the offices of the city; though Timæus, as if he acted by the Licinian or the Mucian law, orders his return to Syracuse. There is, however, a manifest resemblance between *his* character, and that of *Cato*: for they are both of them distinguished by their acuteness, their elegance, their agreeable humour, and their brevity. But the Greek has the happiness to be most admired: for there

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are some who are so extravagantly fond of him, as to prefer a graceful air to a vigorous constitution, and who are perfectly satisfied with a slender and an easy shape, if it is only attended with a moderate share of health. It must, however, be acknowledged, that even Lysias often displays a vigour of mind, which no human power can excel; though his mental frame is certainly more delicately wrought than that of Cato. Notwithstanding he has many admirers, who are charmed with him, merely on account of his delicacy.

But as to *Cato*, where will you find a modern orator who condescends to read him?—nay, I might have said, who has the least knowledge of him?—And yet, good gods! what a wonderful man! I say nothing of his merit as a citizen, a senator, and a general; we must confine our attention to the orator. Who, then, has displayed more dignity as a panegyrist?—more severity as an accuser?—greater acuteness of sentiments?—or greater address in relating and informing? Though he composed above a hundred and fifty orations, (which I have seen and read) they are crowded with all the beauties of language and sentiment. Let us select from these what de-

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serves our notice and applause: they will supply us with all the graces of oratory. Not to omit his *Antiquities*, who will deny that these also are adorned with every flower, and with all the lustre of eloquence? and yet he has scarcely any admirers; which some ages ago was the case of Philistus the Syracusan, and even of Thucydides himself. For as the lofty and elevated style of Theopompus soon diminished the reputation of their pithy and laconic harangues, which were sometimes scarcely intelligible from excessive brevity and quaintness; and as Demosthenes eclipsed the glory of Lysias, so the pompous and stately elocution of the moderns has obscured the lustre of Cato. But many of us are deficient in taste and discernment, for we admire the Greeks for their antiquity, and what is called their *Attic neatness*, and yet have never noticed the same quality in Cato. This was the distinguishing character, say they, of Lysias and Hyperides. I own it, and I admire them for it: but why not allow a share of it to Cato? They are fond, they tell us, of the *Attic* style of eloquence: and their choice is certainly judicious, provided they not only copy the dry bones, but imbibe the animal spirits of those models.

models. What they recommend, however, is, to do it justice, an agreeable quality. But why must Lysias and Hyperides be so fondly admired, while Cato is entirely overlooked? His language indeed has an antiquated air, and some of his expressions are rather too harsh and inelegant. But let us remember that this was the language of the time: only change and modernize it, which it was not in his power to do;—add the improvements of number and cadence, give an easier turn to his sentences, and regulate the structure and connection of his words (which was as little practised even by the older Greeks as by him) and you will find no one who can claim the preference to Cato. The Greeks themselves acknowledge that the chief beauty of composition results from the frequent use of those *tralatitious* forms of expression which they call *tropes*, and of those various attitudes of language and sentiment which they call *figures*: but it is almost incredible in what copiousness and with what amazing variety, they are all employed by Cato.

I know, indeed, that he is not sufficiently polished, and that recourse must be had to a more perfect model for imitation: for he is an author of such antiquity, that he is the oldest

now extant, whose writings can be read with patience ; and the ancients, in general, acquired a much greater reputation in every other art, than in that of speaking. But who that has seen the statues of the moderns, will not perceive in a moment, that the figures of Canachus are too stiff and formal, to resemble life ? Those of Calamis, though evidently harsh, are somewhat softer. Even the statues of Myron are not sufficiently alive : and yet you would not hesitate to pronounce them beautiful. But those of Polycletes are much finer, and, in my mind, completely finished. The case is the same in painting ; for in the works of Zeuxis, Polygnotus, Timanthes, and several other masters, who confined themselves to the use of four colours, we commend the air and the symmetry of their figures ; but in Ætion, Nicomachus, Protogenes, and Apelles, every thing is finished to perfection. This I believe, will hold equally true in all the other arts ; for there is not one of them which was invented and carried to perfection at the same time. I cannot doubt, for instance, that there were many poets before Homer : we may infer it from those very songs which he himself informs us were sung at the feasts of the Phæacians,

cians, and of the profligate suitors of Penelope. Nay, to go no farther, what is become of the ancient poems of our own countrymen ?

Such as the fauns and rustic bards compos'd,
When none the rocks of poetry had cross'd,
Nor wish'd to form his style by rules of art,
Before this vent'rous man : &c.

Old Ennius here speaks of himself ; nor does he carry his boast beyond the bounds of truth : the case being really as he describes it. For we had only an Odyssey in Latin, which resembled one of the rough and unfinished statues of Dædalus ; and some dramatic pieces of Livius, which will scarcely bear a second reading. This Livius exhibited his first performance at Rome in the consulship of M. Tuditanus, and C. Clodius the son of Cæcus, the year before Ennius was born, and, according to the account of my friend Atticus, (whom I choose to follow) the five hundred and fourteenth from the building of the city. But historians are not agreed about the date of the year. Attius informs us that Livius was taken prisoner at Tarentum by Quintus Maximus in his fifth consulship, about thirty

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years

years after he is said by Atticus, and our ancient annals, to have introduced the drama. He adds that he exhibited his first dramatic piece about eleven years after, in the consulship of C. Cornelius and Q. Minucius, at the public games which Salinator had vowed to the goddess of youth for his victory over the Senones. But in this, Attius was so far mistaken, that Ennius, when the persons above-mentioned were consuls, was forty years old : so that if Livius was of the same age, as in this case he would have been, the first dramatic author we had must have been younger than Plautus and Nævius, who had exhibited a great number of plays before the time he specifies.

If these remarks, my Brutus, appear unsuitable to the subject before us, you must throw the whole blame upon Atticus, who has inspired me with a strange curiosity to enquire into the age of illustrious men, and the respective times of their appearance. On the contrary, said Brutus, I am highly pleased that you have carried your attention so far ; and I think your remarks well adapted to the curious task you have undertaken, the giving us a history of the different classes of orators in their proper

proper order. You understand me right, said I ; and I heartily wish those venerable Odes were still extant, which Cato informs us, in his Antiquities, used to be sung by every guest in his turn at the homely feasts of our ancestors, many ages before, to commemorate the feats of their heroes. But the *Punic war* of that antiquated poet, whom Ennius so proudly ranks among the *fauns and rustic bards*, affords me as exquisite a pleasure as the finest statue that was ever formed by Myron. Ennius, I allow, was a more finished writer : but if he had really undervalued the other, as he pretends to do, he would scarcely have omitted such a bloody war as the first *Punic*, when he attempted professedly to describe all the wars of the republic. Nay he himself assigns the reason.

Others (said he) that cruel war have sung :

Very true, and they have sung it with great order and precision, though not, indeed, in such elegant strains as yourself. This you ought to have acknowledged, as you must certainly be conscious that you have borrowed many ornaments from Nævius ; or if you re-

fuse to own it, I shall tell you plainly that you have *pilfered* them.

Contemporary with the Cato above-mentioned (though somewhat older) were C. Flaminus, C. Varro, Q. Maximus, Q. Metellus, P. Lentulus, and P. Crassus who was joint consul with the elder Africanus. This Scipio, we are told, was not destitute of the powers of elocution: but his son, who adopted the younger Scipio (the son of Paulus Æmilius) would have stood foremost in the list of orators, if he had possessed a firmer constitution. This is evident from a few speeches, and a Greek History of his, which are very agreeably written.

In the same class we may place Sextus Ælius, who was the best lawyer of his time, and a ready speaker. A little after these, flourished C. Sulpicius Gallus, who was better acquainted with the Grecian literature than all the rest of the nobility, and to his reputation as a graceful orator, he added the highest accomplishments in every other respect; for a more copious and splendid way of speaking began now to prevail. When this Sulpicius, in quality of prætor, was celebrating the public shews in honour of Apollo, died the poet

Ennius,

Ennius, in the consulship of Q. Marcius and Cn. Servilius, after exhibiting his tragedy of *Thyestes*. At the same time lived Tiberius Gracchus, the son of Publius, who was twice consul and censor: a Greek oration of his to the Rhodians is still extant, and he bore the character of a worthy citizen, and an eloquent speaker. We are likewise told that P. Scipio Nasica, surnamed *Corculum*^a as a favourite of the people, and who also had the honour to be twice chosen consul and censor, was esteemed an able orator: To him we may add L. Lentulus, who was joint consul with C. Figulus; —Q. Nobilior, the son of Marcus, who was inclined to the study of literature by his father's example, and presented Ennius (who had served under his father in Ætolia) with the freedom of the city, when he founded a colony in quality of triumvir: and his colleague T. Annius Luscus, who is said to have been tolerably eloquent. We are likewise informed that

^a His name was P. *Cornelius* Scipio Nasica. From *Cornelius*, as being a favourite of the people, he was called *Corculum*, the little heart of the people. In our language, with nearer affinity to his real name, he might have been styled *kernel* of the people.

that L. Paulus, the father of Africanus, defended the character of an eminent citizen in a public speech; and that Cato, who died in the 83d year of his age, was then living, and actually pleaded, that very year, against the defendant Servius Galba, in the open forum, with great energy and spirit:—he has left a copy of this oration behind him

But when Cato was in the decline of life, a crowd of orators, all younger than himself, made their appearance at the same time: for A. Albinus, who wrote a history in Greek, and shared the consulship with L. Lucullus, was greatly admired for his learning and elocution: and nearly ranked with him Servius Fulvius, and Servius Fabius Pictor, the latter of whom was well acquainted with the laws of his country, the Belles Lettres, and the History of Antiquity. Quintus Fabius Labeo likewise excelled in the same accomplishments. But Q. Metellus, whose four sons attained the consular dignity, was admired for his eloquence beyond the rest;—he undertook the defence of L. Cotta, when accused by Africanus,—and composed many other speeches, particularly that against Tiberius Gracchus, of which we have

have a full account in the annals of C. Fannius. L. Cotta himself was likewise reckoned a skilful speaker; * but C. Lælius, and P. Africanus were allowed by all to be more finished orators; their orations are still extant, and may serve as specimens of their respective abilities. But Servius Galba, who somewhat preceded either of them in years, was indisputably the best speaker of the age. He was the first among the Romans who displayed the proper and distinguishing talents of an orator; such as, digressing from his subject to embellish and diversify it,—soothing or alarming the passions, exhibiting every circumstance in the strongest light,—imploping the compassion of his audience,—and artfully enlarging on those topics, or general principles of prudence or morality, on which the stress of his argument depended: and yet, I know not how, though he is allowed to have been the greatest orator of his time, the orations he has left are more inanimated

* The original is *veterator habibus*. He was deemed a *veteran*, i. e. he possessed all the skill of long-continued practice. *Sex. Pompeius interprets veteratores, calli di dicti a multa rerum gerendarum vetustate.*

nimated and have more the air of antiquity than those of Lælius, or Scipio, or even of Cato himself. Their beauties have so decayed with age, that scarcely any thing remains of them, but the bare skeleton. In the same manner, though both Lælius and Scipio are greatly extolled for their abilities; the preference was giving to Lælius as a speaker; and yet his oration, in defence of the privileges of the Sacerdotal college, has no greater merit than any one that might be named of the numerous speeches of Scipio. Nothing, indeed, can be sweeter and milder than that of Lælius, nor could any thing have been urged with greater dignity to support the honour of religion: but, of the two, Lælius appears to me to be less polished, and to bespeak more of the mould of time than Scipio; and, as different speakers have different tastes, he had, in my mind, too strong a relish for antiquity, and was too fond of using obsolete expressions. But such is the jealousy of mankind, that they will not allow the same person to be possessed of too many perfections. For, as in military prowess they thought it impossible that any man could vie with Scipio, though Lælius had not a little distinguished himself in the war

with Viriathus; so for learning, eloquence, and wisdom, though each was allowed to be above the reach of any other competitor, they adjudged the preference to Lælius. Nor was this the opinion of the public only, but it seems to have been allowed by mutual consent between themselves: for it was then a general custom, as candid in this respect as it was fair and just in every other, to give his due to each.

I accordingly remember that P. Rutilius Rufus once told me at Smyrna, that when he was a young man, the two consuls P. Scipio and D. Brutus, by order of the senate, tried a capital cause of great consequence. For several persons of note having been murdered in the Silan Forest, and the domestics, and some of the sons, of a company of gentlemen who farmed the taxes of the pitch-manufactory, being charged with the fact, the consuls were ordered to try the cause in person. Lælius, he said, spoke very sensibly and elegantly, as indeed he always did, on the side of the farmers of the customs. But the consuls, after hearing both sides, judging it necessary to refer the matter to a second trial, the same Lælius, a few days after, pleaded their cause again with

more accuracy, and much better than at first. The affair, however, was once more put off for a further hearing. Upon this, when his clients attended Lælius to his own house, and, after thanking him for what he had already done, earnestly begged him not to be disheartened by the fatigue he had suffered;—he assured them he had exerted his utmost to defend their reputation; but frankly added, that he thought their cause would be more effectually supported by Servius Galba, who possessed talents more powerful and penetrating than his own. They, accordingly, by the advice of Lælius, requested Galba to undertake it. To this he consented; but with the greatest modesty and reluctance, out of respect to the illustrious advocate he was going to succeed:—and as he had only the next day to prepare himself, he spent the whole of it in considering and digesting his cause. When the day of trial was come, Rutilius himself, at the request of the defendants, went early in the morning to Galba, to give him notice of it, and conduct him to the court in proper time. But till word was brought that the consuls were going to the bench, he confined himself in his study, where he suffered no one to be admitted; and
continued

continued very busy in dictating to his amanuenses, several of whom (as indeed he often used to do) he kept fully employed at the same time. While he was thus engaged, being informed that it was high time for him to appear in court, he left his house with that animation and glow of countenance, that you would have thought he had not only *prepared* his cause, but actually *carried* it. Rutilius added, as another circumstance worth noticing, that his scribes, who attended him to the bar, appeared excessively fatigued: from whence he thought it probable that he was equally warm and vigorous in the composition, as in the delivery of his speeches. But to conclude the story, Galba pleaded his cause before Lælius himself, and a very numerous and attentive audience, with such uncommon force and dignity, that every part of his oration received the applause of his hearers: and so powerfully did he move the feelings, and ensured the sympathy of the judges, that his clients were immediately acquitted of the charge, to the satisfaction of the whole court.

As, therefore, the two principal qualities required in an orator, are perspicuity in stating the subject, and dignified ardour in moving
VOL. II. E the

the passions; and as he who fires and inflames his audience, will always effect more than he who can barely inform and amuse them; we may conjecture from the above narrative, with which I was favoured by Rutilius, that Lælius was most admired for his elegance, and Galba for his pathetic force. But the energy peculiar to him was most remarkably exerted, when, having in his prætorship put to death some Lusitanians, contrary (it was believed) to his previous and express engagement;—T. Libo the tribune exasperated the people against him, and preferred a bill which was to operate against his conduct as a subsequent law. M. Cato (as I have before mentioned) though extremely old, spoke in support of the bill with great vehemence; which speech he inserted in his book of *Antiquities*, a few days, or at most only a month or two, before his death. On this occasion, Galba refusing to plead to the charge, and submitting his fate to the generosity of the people, recommended his children to their protection, with tears in his eyes; and particularly his young ward the son of C. Gallus Sulpicius, his deceased friend, whose orphan state and piercing cries, which were the more regarded for the sake of his illustrious

illustrious father, excited their pity in a wonderful manner;—and thus (as Cato informs us in his history) he escaped the flames which would otherwise have consumed him, by employing the children to move the compassion of the people. I likewise find (what may be easily judged from his orations still extant) that his prosecutor Libo was a man of some eloquence. As I concluded these remarks with a short pause;—What can be the reason, said Brutus, if there was so much merit in the oratory of Galba, that there is no trace of it to be seen in his orations;—a circumstance which I have no opportunity to be surprised at in others, who have left nothing behind them in writing.

The reasons, said I, why some have not written any thing, and others not so well as they spoke, are very different. Some of our orators, as being indolent, and unwilling to add the fatigue of private to public business, do not practise composition: for most of the orations we are now possessed of were written not before they were spoken, but some time afterwards. Others did not choose the trouble of improving themselves; to which nothing more contributes than frequent writing; and as to

perpetuating the fame of their eloquence, they thought it unnecessary; supposing that their eminence in that respect was sufficiently established already, and that it would be rather diminished than increased by submitting any written specimen of it to the arbitrary test of criticism. Some also were sensible that they spoke much better than they were able to write; which is generally the case of those who have a great genius, but little learning, such as Servius Galba. When he spoke, he was perhaps so much animated by the force of his abilities, and the natural warmth and impetuosity of his temper, that his language was rapid, bold, and striking; but afterwards, when he took up the pen in his leisure hours, and his passion had sunk into a calm, his elocution became dull and languid. This indeed can never happen to those whose only aim is to be neat and polished; because an orator may always be master of that discretion which will enable him both to speak and write in the same agreeable manner; but no man can revive at pleasure the ardour of his passions; and when that has once subsided, the fire and pathos of his language will be extinguished. This is the reason why the calm and easy spirit

rit of Lælius seems still to breathe in his writings, whereas the vigour of Galba is entirely withered away.

We may also reckon in the number of middling orators, the two brothers L. and Sp. Mummius, both whose orations are still in being:—the style of Lucius is plain and antiquated; but that of Spurius, though equally unembellished, is more close and compact; for he was well versed in the doctrine of the Stoics. The orations of Sp. Alpinus, their contemporary, are very numerous: and we have several by L. and C. Aurelius Oresta, who were esteemed indifferent speakers. P. Popilius also was a worthy citizen, and had a moderate share of elocution: but his son Caius was really eloquent. To *these* we may add C. Tuditanus, who was not only very polished, and graceful, in his manners and appearance, but had an elegant turn of expression; and of the same class was M. Octavius, a man of inflexible constancy in every just and laudable measure; and who, after being insulted and disgraced in the most public manner, defeated his rival Tiberius Gracchus by the mere dint of his perseverance. But M. Æmilius Lepidus, who was surnamed

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Porcina,

Porcina, and flourished at the same time as Galba, though he was indeed something younger, was esteemed an orator of the first eminence; and really appears, from his orations which are still extant, to have been a masterly writer. For he was the first speaker, among the Romans, who gave us a specimen of the easy gracefulness of the Greeks; and who was distinguished by the measured flow of his language, and a style regularly polished and improved by art. His manner was carefully studied by C. Carbo and Tib. Gracchus, two accomplished youths, who were nearly of an age: but we must defer their character as public speakers, till we have finished our account of their elders. For Q. Pompeius, considering the time in which he lived, was no contemptible orator, and actually raised himself to the highest honours of the state by his own personal merit, and without being recommended, as usual, by the quality of his ancestors. Lucius Cassius too derived his influence, which was very considerable, not indeed from the highest powers, yet from a tolerable share of eloquence: for it is remarkable that he made himself popular, not, as others did, by his complaisance and liberality, but by the gloomy

gloomy rigour and severity of his manners. His law for collecting the votes of the people by way of ballot, was strongly opposed by the tribune M. Antius Briso, who was supported by M. Lepidus, one of the consuls: and it was afterwards objected to Africanus, that Briso dropped the opposition by his advice. At this time the two Scipios were very serviceable to a number of clients by their superior judgment, and eloquence; but still more so by their extensive interest and popularity. But the written speeches of Pompeius (though it must be owned they have rather an antiquated air) discover an amazing sagacity, and are very far from being dry and spiritless.

To these we must add P. Crassus, an orator of uncommon merit, who was qualified for the profession by the united efforts of art and nature, and enjoyed some other advantages which were almost peculiar to his family. For he had contracted an affinity with that accomplished speaker Servius Galba above-mentioned, by giving his daughter in marriage to Galba's son: and being likewise himself the son of Mucius, and the brother of P. Scævola, he had a fine opportunity at home (which he made the best use of) to gain a thorough

knowledge of the civil law. He was a man of unusual application, and was much beloved by his fellow-citizens; being constantly employed either in giving his advice, or pleading causes in the forum. Contemporary with the speakers I have mentioned were the two C. Fannii, the sons of C. and M. one of whom, (the son of C.) who was joint consul with Domitius, has left us an excellent speech against Gracchus, who proposed the admission of the Latin and Italian allies to the freedom of Rome. Do you really think, then, said Atticus, that Fannius was the author of that oration? For when we were young, there were different opinions about it. Some asserted it was written by C. Persius, a man of letters, and much extolled for his learning by Lucilius: and others believed it the joint production of a number of noblemen, each of whom contributed his best to complete it. This I remember, said I; but I could never persuade myself to coincide with either of them. Their suspicion, I believe, was entirely founded on the character of Fannius, who was only reckoned among the *middling* orators; whereas the speech in question is esteemed the best which the time afforded. But, on the other hand,

hand, it is too much of a piece to have been ^{int. cont.} the mingled composition of many: for the flow of the periods, and the turn of the language, are perfectly similar, throughout the whole of it.—and as to *Persius*, if he had composed it for Fannius to pronounce, Gracchus would certainly have taken some notice of it in his reply; because Fannius rallies Gracchus pretty severely, in one part of it, for employing Menelaus of Marathon, and several others, to compose his speeches. We may add that Fannius himself was no contemptible orator: for he pleaded a number of causes, and his tribuneship, which was chiefly conducted under the management and direction of P. Africanus, exhibited much oratory. But the other C. Fannius, (the son of M.) and son-in-law of C. Lælius, was of a rougher cast, both in his temper and manner of speaking. By the advice of his father-in-law, (of whom, by the bye, he was not remarkably fond, because he had not voted for his admission into the college of augurs, but gave the preference to his younger son-in-law Q. Scævola; though Lælius politely excused himself, by saying that the preference was not given to the youngest son, but to his wife the eldest daughter,)

daughter,) by his advice, I say, he attended the lectures of Panætius. His abilities as a speaker may be easily inferred from his history, which is neither destitute of elegance, nor a perfect model of composition. As to his brother Mucius, the augur, whenever he was called upon to defend himself, he always pleaded his own cause; as, for instance, in the action which was brought against him for bribery by T. Albucius. But he was never ranked among the orators; his chief merit being a critical knowledge of the civil law, and an uncommon accuracy of judgment. L. Cælius Antipater, likewise (as you may see by his works), was an elegant and a perspicuous writer for the time he lived in; he was also an excellent lawyer, and taught the principles of jurisprudence to many others, particularly to L. Crassus.

As to Caius Carbo and T. Gracchus, I wish they had been as well inclined to maintain peace and good order in the state, as they were qualified to support it by their eloquence: their glory would then have never been excelled. But the latter, for his turbulent tribuneship, which he entered upon with a heart full of resentment against the great and good, on account of the odium he had brought upon himself

himself by the treaty of Numantia, was slain by the hands of the republic: and the other, being impeached of a seditious affectation of popularity, rescued himself from the severity of the judges by a voluntary death. That both of them were excellent speakers, is very plain from the general testimony of their contemporaries: for as to their speeches now extant, though I allow them to be very skilful and judicious, they are certainly defective in elocution. Gracchus had the advantage of being carefully instructed by his mother Cornelia from his very childhood, and his mind was enriched with all the stores of Grecian literature: for he was constantly attended by the ablest masters from Greece, and particularly, in his youth, by Diophanes of Mitylene, who was the most eloquent Grecian of his age: but though he was a man of uncommon genius, he had but a short time to improve and display it. As to Carbo, his whole life was spent in trials, and forensic debates. He is said, by very sensible men who heard him, and, among others, by our friend L. Gellius, who lived in his family in the time of his consulship, to have been a sonorous, a fluent, and a spirited speaker, and likewise, upon occasion,

very pathetic, very engaging, and excessively humorous: Gellius used to add, that he applied himself very closely to his studies, and bestowed much of his time in writing and private declamation. He was, therefore, esteemed the best pleader of his time; for no sooner had he begun to distinguish himself in the forum, but the depravity of the age gave birth to a number of law-suits; and it was first found necessary, in the time of his youth, to settle the form of public trials, which had never been done before. We accordingly find that L. Piso, then a tribune of the people, was the first who proposed a law against bribery; which he did when Censorinus and Manilius were consuls. This Piso too was a professed pleader, who moved and opposed a great number of laws: he left some orations behind him, which are now lost, and a book of annals very indifferently written. But in the public trials, in which Carbo was concerned, the assistance of an able advocate had become more necessary than ever, in consequence of the law for voting by ballots, which was proposed and carried by L. Cassius, in the consulship of Lepidus and Mancinus.

I have likewise been often assured by the
poet

poet Attius, (an intimate friend of his) that your ancestor D. Brutus, the son of M. was no inelegant speaker; and that for the time he lived in, he was well versed both in the Greek and Roman literature. He ascribed the same accomplishments to Q. Maximus, the grandson of L. Paulus: and added that, a little prior to Maximus, the Scipio, by whose instigation (though only in a private capacity) T. Gracchus was assassinated, was not only a man of great ardour in all other respects, but very warm and spirited in his manner of speaking. P. Lentulus too, the Father of the senate, had a sufficient share of eloquence for an honest and useful magistrate. About the same time L. Furius Philus was thought to speak our language as elegantly, and more correctly than any other man; P. Scævola to be very acute and judicious, and rather more fluent than Philus; M. Manilius to possess almost an equal share of judgment with the latter; and Appius Claudius to be equally fluent, but more warm and pathetic. M. Fulvius Flaccus, and C. Cato the nephew of Africanus, were likewise tolerable orators: some of the writings of Flaccus are still in being, in which nothing, however, is to be seen but the mere scholar.

P. Decius

P. Decius was a professed rival of Flaccus; he too was not destitute of eloquence; but his style was too bold, as his temper was too violent. M. Drusus, the son of C. who, in his tribuneship, baffled^f his colleague Gracchus (then raised to the same office a second time) was a nervous speaker, and a man of great popularity: and next to him was his brother C. Drusus. Your kinsman also, my Brutus, (M. Pennus) successfully opposed the tribune Gracchus, who was something younger than himself. For Gracchus was quæstor, and Pennus (the son of that M. who was joint consul with Q. Ælius) was tribune, in the consulship of M. Lepidus and L. Orestes: but after enjoying the ædileship, and a prospect of succeeding to the highest honours, he was snatched off by an untimely death. As to T. Flaminius, whom I myself have seen, I can learn nothing but that he spoke our language with great accuracy.

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^f *Baffled.*] In the original it runs, *Caïum Gracchum collegam, iterum Tribunum, fecit*: but this was undoubtedly a mistake of the transcriber, as being contrary not only to the truth of History, but to Cicero's own account of the matter in Lib. IV. *De Finibus*. Pighius therefore has very properly recommended the word *fregit* instead of *fecit*.

To these we may join C. Curio, M. Scaurus, P. Rutilius, and C. Gracchus. It will not be amiss to give a short account of Scaurus and Rutilius; neither of whom, indeed, had the reputation of being a first-rate orator, though each of them pleaded a number of causes. But some deserving men, who were not remarkable for their genius, may be justly commended for their industry; not that the persons I am speaking of were really destitute of genius, but only of that particular kind of it which distinguishes the orator. For it is of little consequence to discover what is *proper* to be said, unless you are able to express it in a free and agreeable manner: and even that will be insufficient, if not recommended by the voice, the look, and the gesture. It is needless to add that much depends upon *art*: for though, even without this, it is possible, by the mere force of nature, to say many striking things; yet, as they will after all be nothing more than so many lucky hits, we shall not be able to repeat them at our pleasure. The style of Scaurus, who was a very sensible and honest man, was remarkably grave, and commanded the respect of the hearer: so that when he was speaking for his client, you would rather have
thought

thought he was giving evidence in his favour, than pleading his cause. This manner of speaking, however, though but indifferently adapted to the bar, was very much so to a calm debate in the senate, of which Scaurus was then esteemed the father: for it not only bespoke his prudence, but what was still a more important recommendation, his credibility. This advantage, which it is not easy to acquire by art, he derived entirely from nature: though you know that even *here* we have some precepts to assist us. We have several of his orations still extant, and three books inscribed to L. Fufidius, containing the history of his own life, which, though a very useful work, is scarcely read by any body. But the *Institution of Cyrus*, by Xenophon, is read by every one; which, though an excellent performance of the kind, is much less adapted to our manners and form of government, and not superior in merit to the honest simplicity of Scaurus. Fufidius himself was likewise a tolerable pleader.

But Rutilius was distinguished by his solemn and austere way of speaking; and both of them were naturally warm, and spirited. Accordingly, after they had rivalled each other for the consulship, he who had lost his election, immediately

immediately sued his competitor for bribery; and Scaurus, the defendant, being honourably acquitted of the charge, returned the compliment to Rutilius, by commencing a similar prosecution against *him*. Rutilius was a man of great industry and application; for which he was the more respected, because, besides his pleadings, he undertook the office, (which was a very troublesome one) of giving advice to all who applied to him, in matters of law. His orations are very dry, but his juridical remarks are excellent: for he was a learned man, and well versed in the Greek literature, and was likewise an attentive and constant hearer of Panætius, and a thorough proficient in the doctrine of the Stoics; whose method of discours- 30.114
ing, though very close and artful, is too precise, and not at all adapted to engage the attention of common people. That self-confidence, therefore, which is so peculiar to the sect, was displayed by *him* with amazing firmness and resolution; for though he was perfectly innocent of the charge, a prosecution was commenced against him for bribery, (a trial which raised a violent commotion in the city) —and yet though L. Crassus and M. Antonius, both of consular dignity, were, at that time, in

very high repute for their eloquence, he refused the assistance of either ; being determined to plead his cause himself, which he accordingly did. C. Cotta, indeed, who was his nephew, made a short speech in his vindication, which he spoke in the true style of an orator, though he was then but a youth. Q. Mucius too said much in his defence, with his usual accuracy and elegance ; but not with that force, and extension, which the mode of trial, and the importance of the cause demanded. Rutilius, therefore, was an orator of the *Stoical*, and Scaurus of the *Antique* cast : but they are both entitled to our commendation ; because, in *them*, even this formal and unpromising species of elocution has appeared among us with some degree of merit. For as in the theatre, so in the forum, I would not have our applause confined to those alone who act the busy, and more important characters ; but reserve a share of it for the quiet and unambitious performer, who is distinguished by a simple truth of gesture, without any violence.

As I have mentioned the Stoics, I must take some notice of Q. Ælius Tubero, the grandson of L. Paullus, who made his appearance at the time we are speaking of. He was never esteem-

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ed an orator, but was a man of the most rigid virtue, and strictly conformable to the doctrine he professed : but, in truth, he had not sufficient ease and polish. In his Triumvirate, he declared, contrary to the opinion of P. Africanus his uncle, that the augurs had no right of exemption from sitting in the courts of justice : and as in his temper, so in his manner of speaking, he was harsh, unpolished, and austere ; on which account, he could never raise himself to the honourable posts which were enjoyed by his ancestors. But he was a brave and steady citizen, and a warm opposer of Gracchus, as appears from Gracchus's oration against him : we have likewise some of Tubero's speeches against Gracchus. He was not indeed a shining orator : but he was a learned, and a very skilful disputant. I find, said Brutus, that the case is much the same among us, as with the Greeks ; and that the *Stoics*, in general, are very judicious at an argument, which they conduct by certain rules of art, and are likewise very neat and exact in their language, but if we take them from this, to speak in public, they make a poor appearance. Cato, however, must be excepted ; in whom, though as rigid a Stoic as ever existed, I could

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not

not wish for a more consummate degree of eloquence. I can likewise discover a moderate share of it in Fannius,—not so much in Rutilius;—but none at all in Tubero, True, said I; and we may easily account for it: their whole attention was so closely confined to the study of logic, that they never troubled themselves to acquire the free, diffusive, and variegated style which is so necessary for a public speaker. But your uncle, you doubtless know, was wise enough to borrow only that from the Stoics, which they were able to furnish for his purpose (the art of reasoning :) but for the art of speaking, he had recourse to the masters of rhetoric, and exercised himself in the manner they directed. If, however, we must be indebted for every thing to the philosophers, the Peripatetic discipline is, in my mind, much the properest to form our language. For which reason, my Brutus, I the more approve your choice, in attaching yourself to a sect, (I mean the philosophers of the old academy,) in whose system, a just and accurate way of reasoning is enlivened by a perpetual sweetness and fluency of expression: but even the delicate and flowing style of the Peripatetics, and academics, is not sufficient to complete an orator;

nor

nor yet can he be complete without it. For as the language of the Stoics is too close, and contracted, to suit the ears of common people; so that of the latter is too diffusive and luxuriant for a spirited contest in the forum, or a pleading at the bar. Who had a richer style than Plato? The philosophers tell us, that if Jupiter himself was to converse in Greek, he would speak like *him*. Who also was more nervous than Aristotle? Who sweeter than Theophrastus? We are told that even Demosthenes attended the lectures of Plato, and was fond of reading what he published; which, indeed, is sufficiently evident from the turn, and the majesty of his language; and he himself has expressly mentioned it in one of his letters. But the style of this excellent orator is, notwithstanding, much too violent for the academy; as that of the philosophers is too mild and placid for the forum.

I shall now, with your leave, proceed to the age and merits of the rest of the Roman orators. Nothing, said Atticus, (for I can safely answer for my friend Brutus,) would please us better. Curio, then, said I, was nearly of the age I have just mentioned,—a celebrated speaker, whose genius may be easily ascer-

tained from his orations. For, among several others, we have a noble speech of his for Ser. Fulvius, in a prosecution for incest. When we were children, it was esteemed the best then extant; but now it is almost overlooked among the numerous performances of the same kind which have been lately published. I am very sensible, replied Brutus, to whom we are obliged for the numerous performances you speak of. And I am equally sensible, said I, who is the person you intend: for I have at least done a service to my young countrymen, by introducing a loftier, and more embellished way of speaking, than was used before: and, perhaps, I have also done some harm, because after *mine* appeared, the speeches of our ancestors and predecessors began to be neglected by most people; though never by *me*, for I can assure you, I always prefer them to my own. But you must reckon me, said Brutus, among the *most people*; though I now see, from your recommendation, that I have a great many books to read, of which before I had very little opinion. But this celebrated oration, said I, in the prosecution for incest, is in some places excessively puerile; and what is said in it of the passion of love, the inefficacy of questioning

questioning by tortures, and the danger of trusting to common hear-say, is indeed pretty enough, but would be insufferable to the chastened ears of the moderns, and to a people who are justly distinguished for the solidity of their knowledge. He likewise wrote several other pieces, spoke a number of good orations, and was certainly an eminent pleader; so that I much wonder, considering how long he lived, and the character he bore, that he was never preferred to the consulship.

But I have a man here, * (C. Gracchus) who had an amazing genius, and of the most ardent application; and was a scholar from his very childhood: for you must not imagine, my Brutus, that we have ever yet had a speaker, whose language was richer and more copious than his. I really think so, answered Brutus; and he is almost the only author we have, among the ancients, that I take the trouble to read. And he well *deserves* it, said I;

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* He refers, perhaps, to the works of Gracchus, which he might then have in his hand; or, more probably, to a statue of him, which stood near the place where he and his friends were sitting.

for the Roman name and literature were great losers by his untimely fate. I wish he had transferred his affection for his brother to his country ! How easily, if he had thus prolonged his life, would he have rivalled the glory of his father and grandfather ! In eloquence, I scarcely know whether we should yet have had his equal. His language was noble ; his sentiments manly and judicious ; and his whole manner great and striking. He wanted nothing but the finishing touch : for though his first attempts were as excellent as they were numerous, he did not live to complete them. In short, my Brutus, *he*, if any one, should be carefully studied by the Roman youth : for he is able, not only to sharpen, but to enrich and ripen their talents. After *him* appeared C. Galba, the son of the eloquent Servius, and the son-in-law of P. Crassus, who was both an eminent speaker, and a skilful civilian. He was much commended by our fathers, who respected him for the sake of *his* : but he had the misfortune to be stopped in his career. For being tried by the Mamilian law, as a party concerned in the conspiracy to support Jugurtha, though he exerted all his abilities to defend himself, he was unhappily condemned.

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His peroration, or, as it is often called, his epilogue, is still extant ; and was so much in repute, when we were school-boys, that we used to learn it by heart : he was the first member of the Sacerdotal College, since the building of Rome, who was publicly tried and condemned.

As to P. Scipio, who died in his consulship, he neither spoke much, nor often : but he was inferior to no one in purity of language, and superior to all in wit and pleasantry. His colleague L. Bestia, who begun his tribuneship very successfully, (for, by a law which he preferred for the purpose, he procured the recall of Popillius, who had been exiled by the influence of Caius Gracchus) was a man of spirit, and a tolerable speaker : but he did not finish his consulship equally happy. For, in consequence of the invidious law of Mamilius above-mentioned, C. Galba, one of the priests, and the four consular gentlemen L. Bestia, C. Cato, Sp. Albinus, and that excellent citizen L. Opi-
mius, who killed Gracchus, of which he was acquitted by the people, though he had constantly sided against them,—were all condemned by their judges, who were of the Gracchan party. Very unlike him in his tribuneship, and indeed in every other part of his life, was that
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infamous citizen C. Licinius Nerva; but he was not destitute of eloquence. Nearly at the same time, (though, indeed, he was somewhat older) flourished C. Fimbria, who was rather rough and abusive, and much too warm and hasty: but his application, and his great integrity and firmness, made him a serviceable speaker in the senate. He was likewise a tolerable pleader, and civilian, and distinguished by the same rigid freedom in the turn of his language, as in that of his virtues. When we were boys, we used to think his orations worth reading; though they are now scarcely to be met with. But C. Sextius Calvinus was equally elegant, both in his taste and his language, though unhappily, of a very infirm constitution:—when the pain in his feet intermitted, he did not decline the trouble of pleading, but he did not attempt it very often. His fellow-citizens, therefore, made use of his advice, whenever they had occasion for it; but of his patronage, only when his health permitted. Contemporary with these, my good friend, was your namesake M. Brutus, the disgrace of your noble family; who, though he bore that honourable name, and had the best of men, and an eminent civilian, for his father, confined his practice

tice to accusations, as Lycurgus is said to have done at Athens. He never sued for any of our magistracies; but was a severe, and a troublesome prosecutor: so that we easily see that, in *him*, the natural goodness of the stock was corrupted by the vicious inclinations of the man. At the same time lived L. Cæsulenus, a man of Plebeian rank, and a professed accuser, like the former: I myself heard him in his old age, when he endeavoured, by the Aquilian law, to subject L. Sabellius to a fine, for a breach of justice. But I should not have taken any notice of such a low-born wretch, if I had not thought that no person I ever heard, could give a more suspicious turn to the cause of the defendant, or exaggerate it to a higher degree of criminality.

T. Albucius, who lived in the same age, was well versed in the Grecian literature, or, rather, was almost a Greek himself. I speak of him, as I think; but any person, who pleases, may judge what he was by his orations. In his youth, he studied at Athens, and returned from thence a thorough proficient in the doctrine of Epicurus; which, of all others, is the least adapted to form an orator. His contemporary, Q. Catulus, was an accomplished speaker, not in
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the ancient taste, but (unless any thing more perfect can be exhibited) in the finished style of the moderns. He had copious stores of learning, an easy, winning elegance, not only in his manners and disposition, but in his very language; and an unblemished purity and correctness of style. This may be easily seen by his orations; and particularly, by the History of his Consulship, and of his subsequent transactions, which he composed in the soft and agreeable manner of Xenophon, and made a present of to the poet A. Furius, an intimate acquaintance of his. But this performance is as little known, as the three books of Scaurus before-mentioned. Indeed, I must confess, said Brutus, that both the one and the other, are perfectly unknown to me: but that is entirely my *own* fault. I shall now, therefore, request a sight of them from *you*; and am resolved, in future, to be more careful in collecting such valuable curiosities. This Catulus, said I, as I have just observed, was distinguished by the purity of his language; which, though a material accomplishment, is too much neglected by most of the Roman orators: for as to the elegant tone of his voice, and the sweetness of his accent, as you knew his son,

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it will be needless to take any notice of them. His son, indeed, was not in the list of orators: but whenever he had occasion to deliver his sentiments in public, he neither wanted judgment, nor a neat and liberal turn of expression. Nay, even the father himself was not reckoned the foremost in the rank of orators: but still he had that kind of merit, that notwithstanding, after you had heard two or three speakers, who were particularly eminent in their profession, you might judge him inferior; yet, whenever you heard him *alone*, and without an immediate opportunity of making a comparison, you would not only be satisfied with him, but scarcely wish for a better advocate. As to Q. Metellus Numidicus, and his colleague M. Silanus, they spoke, on matters of government, with as much eloquence as was really necessary for men of their illustrious character, and of consular dignity. But M. Aurelius Scaurus, though he spoke in public but seldom, always spoke very neatly, and he had a more elegant command of the Roman language than most men. A. Albinus was a speaker of the same kind; but Albinus, the flamen, was esteemed an *orator*. Q. Capio too had a great deal of spirit, and was a brave citizen: but the unlucky chance

chance of war was imputed to him as a crime, and the general odium of the people proved his ruin.

C. and L. Memmius were likewise indifferent orators, and distinguished by the bitterness and asperity of their accusations: for they prosecuted many, but seldom spoke for the defendant. Sp. Torius, on the other hand, was distinguished by his *popular* way of speaking; the very same man, who, by his corrupt and frivolous law, diminished^b the taxes which were levied on the public lands. M. Marcellus, the father of Æsernius, though not reckoned a professed pleader, was a prompt, and, in some degree, a practised speaker; as was also his son P. Lentulus. L. Cotta likewise, a man of prætorian rank, was esteemed a tolerable orator; but he never made any great progress; on the contrary, he purposely endeavoured, both in the choice of his words, and the rusticity of his pronunciation, to imitate the manner of the ancients. I am indeed sensible that in this instance of Cotta, and in many others, I have, and shall again insert in the

^b By dividing great part of them among the people.

the list of orators, those who, in reality, had but little claim to the character. For it was, professedly, my design, to collect an account of all the Romans, without exception, who made it their business to excel in the profession of *eloquence*: and it may be easily seen from this account, by what slow gradations they advanced, and how excessively difficult it is, in every thing, to rise to the summit of perfection. As a proof of this, how many orators have been already recounted, and how much time have we bestowed upon them, before we could ascend, after infinite fatigue and drudgery, as, among the Greeks, to *Demos-thenes* and *Hyperides*, so now, among our own countrymen, to *Antonius* and *Crassus*! For, in my mind, these were consummate orators, and the first among the Romans whose diffusive eloquence rivalled the glory of the Greeks.

Antonius comprehended every thing which could be of service to his cause, and he arranged his materials in the most advantageous order: and as a skilful general posts the cavalry, the infantry, and the light troops, where each of them can act to most advantage; so Antonius drew up his arguments in those parts
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of his discourse, where they were likely to have the best effect. He had a quick and retentive memory, and a frankness of manner which precluded any suspicion of artifice. All his speeches were, in appearance, the unpremeditated effusions of an honest heart; and yet, in reality, they were preconcerted with so much skill, that the judges were, sometimes, not so well prepared, as they should have been, to withstand the force of them. His language, indeed, was not so refined as to pass for the standard of elegance; for which reason he was thought to be rather a careless speaker; and yet, on the other hand, it was neither vulgar nor incorrect, but of that solid and judicious turn, which constitutes the real merit of an orator, as to the choice of his words. For, though a purity of style is certainly, as has been observed, a very commendable quality, it is not so much so for its intrinsic consequence, as because it is too generally neglected. In short, it is not so meritorious to speak our native tongue correctly, as it is disgraceful to speak it otherwise; nor is it so much the characteristic of a good orator, as of a well-bred citizen. But in the choice of his words (in which he had more regard to their

their weight than their brilliance) and likewise in the structure of his language, and the compass of his periods, Antonius conformed himself to the dictates of reason, and, in a great measure, to the nicer rules of art: though his chief excellence was a judicious management of the figures and decorations of sentiment. This was likewise the distinguishing excellence of Demosthenes; in which he was so far superior to all others, as to be allowed, in the opinion of the best judges, to be the prince of orators. For the *figures* (as they are called by the Greeks) are the principal ornaments of an able speaker;—I mean those which contribute not so much to paint and embellish our language, as to give a lustre to our sentiments.

But besides these, of which Antonius had a great command, he had a peculiar excellence in his manner of delivery, both as to his voice and gesture; for the latter was such as to correspond to the meaning of every sentence, without beating time to the words. His hands, his shoulders, the turn of his body, the stamp of his foot, his posture, his air, and, in short, all his motions, were adapted to his language and sentiments: and his voice was strong and

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firm, though naturally hoarse;—a defect which he alone was capable of improving to his advantage; for in capital causes, it had a mournful dignity of accent, which was exceedingly proper, both to win the assent of the judges, and excite their compassion for a suffering client: so that in *him* the observation of Demosthenes was eminently verified, who being asked what was the *first* quality of a good orator, what the *second*, and what the *third*, constantly replied, A good enunciation. But many thought that he was equalled, and others that he was even excelled, by Lucius Crassus. All, however, were agreed in this, that whoever had either of them for his advocate, had no cause to wish for a better. For my own part, notwithstanding the uncommon merit I have ascribed to Antonius, I must also acknowledge, that there cannot be a more finished character than that of Crassus. He possessed a wonderful dignity of elocution, with an agreeable mixture of wit and pleasantry, which was perfectly polished, and without the smallest tincture of scurrility. His style was correct and elegant without stiffness or affectation: his method of reasoning was remarkably clear and distinct: and when his cause turned upon
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any point of law, or equity, he had an inexhaustible fund of arguments, and comparative illustrations.

For as Antonius had an admirable turn for suggesting apposite hints, and either suppressing or exciting the suspicions of the hearer; so no man could explain and define, or discuss a point of equity, with a more copious facility than Crassus; as sufficiently appeared upon many other occasions, but particularly in the cause of M. Curius, which was tried before the Centumviri. For he urged a great variety of arguments in the defence of right and equity, against the literal jubeat of the law; and supported them by such a numerous series of precedents, that he overpowered Q. Scævola (a man of uncommon penetration, and the ablest civilian of his time) though the case before them was only a matter of legal right. But the cause was so ably managed by the two advocates, who were nearly of an age, and both of consular rank, that while each endeavoured to interpret the law in favour of his client, Crassus was universally allowed to be the best lawyer among the orators, and Scævola to be the most eloquent civilian of the age: for the latter could not only discover

with the nicest precision what was agreeable to law and equity; but had likewise a conciseness and propriety of expression, which was admirably adapted to his purpose. In short, he had such a wonderful vein of oratory in commenting, explaining, and discussing, that I never beheld his equal; though in amplifying, embellishing, and refuting, he was rather to be dreaded as a formidable critic, than admired as an eloquent speaker.

Indeed, said Brutus, though I always thought I sufficiently understood the character of Scævola, by the account I had heard of him from C. Rutilius, whose company I frequented for the sake of his acquaintance with him, I had not the least idea of his merit as an orator. I am now, therefore, not a little pleased to be informed, that our republic has had the honour of producing so accomplished a man, and such an excellent genius. Really, my Brutus, said I, you may take it from me, that the Roman state had never been adorned with two finer characters than these. For, as I have before observed, that the one was the best lawyer among the orators, and the other the best speaker among the civilians of his time; so the difference between them, in all other respects,

was of such a nature, that it would almost be impossible for you to determine which of the two you would rather choose to resemble. For, as Crassus was the closest of all our elegant speakers, so Scævola was the most elegant among those who were distinguished by the concise accuracy of their language: and as Crassus tempered his affability with a proper share of severity, so the rigid air of Scævola was not destitute of the milder graces of an affable condescension. Though this was really their character, it is very possible that I may be thought to have embellished it beyond the bounds of truth, to give an agreeable air to my narrative: but as your favourite sect, my Brutus, the old academy, has defined all virtue to be a just mediocrity, it was the constant endeavour of these two eminent men to pursue this golden mean; and yet it so happened, that while each of them shared a part of the other's excellence, he preserved his own entire. To speak what I think, replied Brutus, I have not only acquired a proper acquaintance with their characters from your account of them, but I can likewise discover, that the same comparison might be drawn between *you* and Serv. Sulpicius, which you have just been making between Crassus and Scævola.

In what manner? said I. Because *you*, replied Brutus, have taken the pains to acquire as extensive a knowledge of the law as is necessary for an orator; and Sulpicius, on the other hand, took care to furnish himself with sufficient eloquence to support the character of an able civilian. Besides your age corresponded as nearly to his, as the age of Crassus did to that of Scævola.

As to my own abilities, said I, the rules of decency forbid me to speak of them: but your character of Servius is a very just one, and I may freely tell you what I think of him. There are few, I believe, who have applied themselves more assiduously to the art of speaking than he did, or indeed to the study of every useful science. In our youth, we both of us followed the same liberal exercises; and he afterwards accompanied me to Rhodes, to pursue those studies which might equally improve him as a man and a scholar; but when he returned from thence he appears to me to have been rather ambitious of being the foremost man in a secondary profession, than the second in that which claims the highest dignity. I will not pretend to say that he could not have ranked himself among the first in the latter profession; but he rather

chose to be, what he actually made himself, the first lawyer of his time. Indeed! said Brutus: and do you really prefer Servius to Q. Scævola? My opinion, said I, Brutus, is, that Q. Scævola, and many others, had a thorough practical knowledge of the law; but that Servius alone understood it as a science: which he could never have done by the mere study of the law, and without a previous acquaintance with the art which teaches us to divide a whole into its subordinate parts, to explain an indeterminate idea by an accurate definition: to illustrate what is obscure, by a clear interpretation; and first to discover what things are of a doubtful nature, then to distinguish them by their different degrees of probability; and lastly to be provided with a certain rule or measure by which we may judge what is true, and what false, and what inferences fairly may, or may not be deduced from any given premises. This important art he applied to those subjects which, for want of it, were necessarily managed by others without due order and precision.

You mean, I suppose, said Brutus, the art of logic. You suppose very right, answered

I: but he added to it an extensive acquaintance with polite literature, and an elegant manner of expressing himself; as is sufficiently evident from the incomparable writings he has left behind him. And as he attached himself, for the improvement of his eloquence, to L. Lucilius Balbus, and C. Aquilius Gallus, two very able speakers; he effectually thwarted the prompt celerity of the latter (though a keen, experienced man) both in supporting and refuting a charge, by his accuracy and precision, and overpowered the deliberate formality of Balbus (a man of great learning and erudition) by his adroit and dextrous method of arguing: so that he equally possessed the good qualities of both, without their defects. As Crassus, therefore, in my mind, acted more prudently than Scævola; (for the latter was very fond of pleading causes, in which he was certainly inferior to Crassus; whereas the former never engaged himself in an unequal competition with Scævola, by assuming the character of a civilian;) so Servius pursued a plan which sufficiently discovered his wisdom; for as the profession of a pleader, and a lawyer, are both of them held in great esteem, and give those who are masters of them

them the most extensive influence among their fellow-citizens; he acquired an undisputed superiority in the one, and improved himself as much in the other as was necessary to support the authority of the civil law, and promote him to the dignity of a consul. This is precisely the opinion I had formed of him, said Brutus. For, a few years ago I heard him often, and very attentively, at Samos, when I wanted to be instructed by him in the pontifical law, as far as it is connected with the civil; and I am now greatly confirmed in my opinion of him, by finding that it coincides so exactly with yours. I am likewise not a little pleased to observe, that the equality of your ages, your sharing the same honours and preferments, and the affinity of your respective studies and professions, has been so far from precipitating either of you into that envious detraction of the other's merit, which most people are tormented with, that, instead of interrupting your mutual friendship, it has only served to increase and strengthen it; for, to my own knowledge, he had the same affection for, and the same favourable sentiments of *you*, which I now discover in you towards *him*. I cannot, therefore,

therefore, help regretting very sincerely, that the Roman state has so long been deprived of the benefit of his advice, and of your eloquence;—a circumstance which is indeed calamitous enough in itself; but must appear much more so to him who considers into what hands that once respectable authority has been of late, I will not say transferred, but forcibly wrested. You certainly forget, said Atticus, that I proposed, when we began the conversation, to drop all matters of state; by all means, therefore, let us keep to our plan: for if we once begin to repeat our grievances, there will be no end, I need not say to our enquiries, but to our sighs and lamentations.

Let us proceed, then, said I, without any farther digression, and pursue the plan we set out upon. Crassus (for he is the orator we were just speaking of) always came into the forum ready prepared for the combat. He was expected with impatience, and heard with pleasure. When he first began his oration (which he always did in a very accurate style) he seemed worthy of the great expectations he had raised. He was very moderate in the movements of his body, had no remarkable

able variation of voice, never advanced from the ground he stood upon, and seldom stamped his foot: his language was forcible, and sometimes warm and pathetic; he had many strokes of humour, which were always tempered with a becoming dignity; and, what is difficult to attain, he was at once very florid, and very concise. In a close contest, he never met with his equal; and there was scarcely any kind of causes, in which he had not signalized his abilities; so that he enrolled himself very early among the first orators of the time. He accused C. Carbo, though a man of great eloquence, when he was but a youth; and displayed his talents in such a manner, that they were not only applauded, but admired by every body. He afterwards defended the Virgin Licinia, when he was only twenty-seven years of age; on which occasion he discovered an uncommon share of eloquence, as is evident from those parts of his oration, which he left behind him in writing. As he was then desirous to have the honour of settling the colony of Narbonne (as he afterwards did) he thought it adviseable to recommend himself, by undertaking the management of some popular cause.

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His oration, in support of the act which was proposed for that purpose, is still extant; and discovers a greater maturity of genius than might have been expected at that time of life. He afterwards pleaded many other causes: but his tribuneship was so remarkably silent, that if he had not supped with Granius the beadle when he enjoyed that office (a circumstance which has been twice mentioned by Lucilius) we should scarcely have known that a tribune of that name had existed. I believe so, replied Brutus; but I have heard as little of the tribuneship of Scævola, though I must naturally suppose that he was the colleague of Crassus. He was so, said I, in all his other preferments; but he was not tribune till the year after him; and when he sat in the rostrum in that capacity, Crassus spoke in support of the Servilian law. I must observe, however, that Crassus had not Scævola for his colleague in the censorship; for none of the Scævolas ever solicited that office. But when the last-mentioned oration of Crassus was published (which I dare say you have frequently read) he was thirty-four years of age, which was exactly the difference between his age and mine.

mine. For he supported the law I have just been speaking of, in the very consulship under which I was born; whereas he himself was born in the consulship of Q. Cæpio and C. Lælius, about three years later than Antonius. I have particularly noticed this circumstance, to specify the time when the Roman eloquence attained its first *maturity*; and was actually carried to such a degree of perfection, as to leave no room for any one to carry it higher, unless by the assistance of a more complete and extensive knowledge of philosophy, jurisprudence, and history.

But does there, said Brutus, or will there ever exist a man, who is furnished with all the united accomplishments you require? I really do not know, said I; but we have a speech made by Crassus in his consulship, in praise of Q. Cæpio, intermingled with a defence of his conduct, which, though a short one if we consider it as an oration, is not so as a panegyric; —and another, which was his last, and which he spoke in the 48th year of his age, at the time he was censor. In these we have the genuine complexion of eloquence, without any painting or disguise: but his periods (I mean those
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of Crassus) were generally short and concise ; and he was fond of expressing himself in those minuter sentences, or members, which the Greeks call colons. As you have spoken so largely, said Brutus, in praise of the two last-mentioned orators, I heartily wish that Antonius had left us some other specimen of his abilities, than his trifling essay on the art of speaking, and Crassus more than he has : by so doing, they would have transmitted their fame to *posterity*, and to us a valuable system of eloquence. For as to the elegant language of Scævola, we have sufficient proofs of it in the orations he has left behind him. For my part, said I, the oration I was speaking of, on Cæpio's case, has been a model which served to instruct me, from my very childhood. It supports the dignity of the senate, which was deeply interested in the debate ; and excites the jealousy of the audience against the party of the judges and accusers, whose power it was necessary to expose in the most popular terms. Many parts of it are very strong and nervous, many others very cool and composed ; and some are distinguished by the asperity of their language, and not a few by their wit and pleasantry : but much more was said then was committed

committed to writing, as is sufficiently evident from several heads of the oration, which are merely proposed without any enlargement or explanation. But the oration in his censorship against his colleague Cn. Domitius, is not so much an oration, as an analysis of the subject, or a general sketch of what he had said, with here and there a few ornamental touches, by way of specimen : for no contest was ever conducted with greater spirit than this. Crassus, however, was eminently distinguished by the popular turn of his language : but that of Antonius was better adapted to judicial trials, than to a public debate.

As we have had occasion to mention him, Domitius himself must not be left unnoticed : for though he is not enrolled in the list of orators, he had a sufficient share both of utterance and genius, to support his character as a magistrate, and his dignity as a consul. I might likewise observe of C. Cælius, that he was a man of great application, and many eminent qualities, and had eloquence enough to support the private interest of his friends, and his own dignity in the state. At the same time lived M. Herennius, who was reckoned among the middling orators, whose principal merit was the purity

purity and correctness of their language ; and yet, in a suit for the consulship, he got the better of L. Philippus, a man of the first rank and family, and of the most extensive connections, and who was likewise a member of the college, and a very eloquent speaker. *Then* also lived C. Clodius, who, besides his consequence as a nobleman of the first distinction, and a man of the most powerful influence, was likewise possessed of a moderate share of eloquence. Nearly of the same age was C. Titius, a Roman knight, who, in my judgment, arrived at as high a degree of perfection as a Roman orator was able to do, without the assistance of the Grecian literature, and a good share of practice. His orations have so many delicate turns, such a number of well-chosen examples, and such an agreeable vein of politeness, that they almost seem to have been composed in the true attic style. He likewise transferred his delicacies into his tragedies, with ingenuity enough, I confess, but not in the tragic taste. But the poet L. Afranius, whom he studiously imitated, was a very lively writer, and, as you well know, possessed great dramatic eloquence. Q. Rubrius Varro, who with C. Marius, was declared an enemy by the senate, was likewise
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a warm, and a very spirited prosecutor. My relation, M. Gratidius, was a plausible speaker of the same kind, well versed in the Grecian literature, formed by nature for the profession of eloquence, and an intimate acquaintance of M. Antonius : he commanded under him in Cilicia, where he lost his life : and he once commenced a prosecution against C. Fimbria, the father of M. Marius Gratidianus.

There have likewise been several among the allies, and the Latins, who were esteemed good orators : as, for instance, Q. Vettius of Vettium, one of the Marsi, whom I myself was acquainted with, a man of sense, and a concise speaker ;—the Q. and D. Valerii of Sora, my neighbours and acquaintances, who were not so remarkable for their talent of speaking, as for their skill both in the Greek and Roman literature ; and C. Rusticellus of Bononia, an experienced orator, and a man of great natural volubility. But the most eloquent of all those who were not citizens of Rome, was T. Betucius Barrus of Asculum, some of whose orations, which were spoken in that city, are still extant : that which he made at Rome against Cæpio, is really excellent : the speech which Cæpio delivered in answer to it, was made by

Ælius, who composed a number of orations but pronounced none himself. But among those of a remoter date, L. Papius of Fregellæ in Latium, who was almost contemporary with Ti. Gracchus, was universally esteemed the most eloquent : we have a speech of his in vindication of the Fregellani, and the Latin colonies, which was delivered before the senate. And what then is the merit, said Brutus, which you mean to ascribe to these provincial orators? What else, replied I, but the very same which I have ascribed to the city-orators ; excepting that their language is not tinctured with the same fashionable delicacy? What fashionable delicacy do you mean? said he. I cannot, said I, pretend to define it : I only know that there is such a quality existing. When you go to your province in Gaul, you will be convinced of it. You will there find many expressions which are not current in Rome : but these may be easily changed, and corrected. But what is of greater importance, our orators have a particular accent in their manner of pronouncing, which is more elegant, and has a more agreeable effect than any other. This, however, is not peculiar to the orators, but is equally common to every well-bred citizen.

zen. I myself remember that T. Tineas, of Placentia, who was a very facetious man, once engaged in raillery with my old friend Q. Granius, the public crier. Do you mean that Granius, said Brutus, of whom Lucilius has related such a number of stories? The very same, said I : but though Tineas said as many smart things as the other, Granius at last overpowered him by a certain vernacular *goût*, which gave an additional relish to his humour : so that I am no longer surprised at what is said to have happened to Theophrastus, when he enquired of an old woman who kept a stall, what was the price of something which he wanted to purchase. After telling him the value of it, honest *stranger*, said she, I cannot afford it for less : an answer which nettled him not a little, to think that *he* who had resided almost all his life at Athens, and spoke the language very correctly, should be taken at last for a foreigner. In the same manner, there is, in my opinion, a certain accent as peculiar to the native citizens of Rome, as the other was to those of Athens. But it is time for us to return home ; I mean to the orators of our own growth.

Next, therefore, to the two capital speakers

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above-mentioned, (that is Crassus and Antonius) came L. Philippus,—not indeed till a considerable time afterwards : but still he must be reckoned the next. I do not mean, however, though nobody appeared in the interim who could dispute the prize with him, that he was entitled to the second, or even the third post of honour. For as in a chariot-race I cannot properly consider *him* as either the second or third winner, who has scarcely got clear of the starting-post, before the first has reached the goal ; so, among orators, I can scarcely honour him with the name of a competitor, who has been so far distanced by the foremost as hardly to appear on the same ground with him. But yet there were certainly some talents to be observed in Philippus, which any person who considers them, without subjecting them to a comparison with the superior merits of the two before-mentioned, must allow to have been respectable. He had an uncommon freedom of address, a large fund of humour, great facility in the invention of his sentiments, and a ready and easy manner of expressing them. He was likewise, for the time he lived in, a great adept in the literature of the Greeks ; and, in the heat of a debate, he could

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sting, and lash, as well as ridicule his opponents. Almost contemporary with these was L. Gellius, who was not so much to be valued for his positive, as for his negative merits : for he was neither destitute of learning, nor invention, nor unacquainted with the history and the laws of his country ; besides which, he had a tolerable freedom of expression. But he happened to live at a time when many excellent orators made their appearance ; and yet he served his friends upon many occasions to good purpose : in short, his life was so long, that he was successively contemporary with a variety of orators of different periods, and had an extensive series of practice in judicial causes. Nearly at the same time lived D. Brutus, who was fellow-consul with Mamercus ;—and was equally skilled both in the Grecian and Roman literature. L. Scipio likewise was not an unskilful speaker ; and Cnæus Pompeius, the son of Sextus, had some reputation as an orator ; for his brother Sextus applied the excellent genius he was possessed of, to acquire a thorough knowledge of the civil law, and a complete acquaintance with geometry and the doctrine of the stoics. A little before these, M. Brutus, and very soon after him, C. Bilienus,

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who

who was a man of great natural capacity, made themselves, by nearly the same application, equally eminent in the profession of the law;—the latter would have been chosen consul, if he had not been thwarted by the repeated promotion of Marius, and some other collateral embarrassments which attended his suit. But the eloquence of Cn. Octavius, which was wholly unknown before his elevation to the consulship, was effectually displayed, after his preferment to that office, in a great variety of speeches. It is, however, time for us to drop those who were only classed in the number of good *speakers*, and turn our attention to such as were really *orators*.

I think so too, replied Atticus; for I understood that you meant to give us an account, not of those who took great pains to be eloquent, but of those who were so in reality. C. Julius then, said I, (the son of Lucius) — was certainly superior, not only to his predecessors, but to all his contemporaries, in wit and humour: he was not, indeed, a nervous and striking orator, but, in the elegance, the pleasantry, and the agreeableness of his manner, he has not been excelled by any man.— There are some orations of his still extant, in

which, as well as in his tragedies, we may discover a pleasing tranquillity of expression with very little energy. P. Cethegus, his equal in age, had always enough to say on matters of civil regulation; for he had studied and comprehended them with the minutest accuracy; by which means he acquired an equal authority in the senate with those who had served the office of consul, and though he made no figure in a public debate, he was a serviceable veteran in any suit of a private nature. Q. Lucretius Vispillo was an acute speaker, and a good civilian in the same kind of causes: but Osella was better qualified for a public harangue, than to conduct a judicial process. T. Annius Velina was likewise a man of sense, and a tolerable pleader; and T. Juven-tius had a great deal of practice in the same way:—the latter indeed was rather too heavy and unanimated, but at the same time he was keen and artful, and knew how to seize every advantage which was offered by his antagonist: to which we may add, that he was far from being a man of no literature, but had an extensive knowledge of the civil law. His scholar, P. Orbius, who was almost contemporary with me, had no great practice as a pleader;

but his skill in the civil law was in no respect inferior to his master's. As to Titus Aufidius, who lived to a great age, he was a professed imitator of both; and was indeed a worthy inoffensive man; but he seldom spoke at the bar. His brother, M. Virgilius, who, when he was a tribune of the people, commenced a prosecution against L. Sylla, then advanced to the rank of general, had as little practice as Aufidius. Virgilius's colleague, P. Magius, was more copious and diffusive. But of all the orators, or rather *ranters*, I ever knew, who were totally illiterate and unpolished, and (I might have added) absolutely coarse and rustic, the readiest and keenest, were Q. Sertorius, and C. Gorgonius, the one of consular, and the other of equestrian rank. T. Junius (the son of L.) who had served the office of tribune, and prosecuted and convicted P. Sextius of bribery, when he was prætor elect, was a prompt and an easy speaker: he lived in great splendor, and had a very promising genius; and, if he had not been of a weak, and indeed a sickly constitution, he would have advanced much farther than he did in the road to preferment.

I am sensible, however, that in the account I have been giving, I have included many who
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were neither real, nor reputed orators; and that I have omitted others, among those of a remoter date, who well deserved not only to have been mentioned, but to be recorded with honour. But this I was forced to do, for want of better information: for what could I say concerning men of a distant age, none of whose productions are now remaining, and of whom no mention is made in the writings of other people? But I have omitted none of those who have fallen within the compass of my own knowledge, or that I myself remember to have heard. For I wish to make it appear, that in such a powerful and ancient republic as ours, in which the greatest rewards have been proposed to eloquence, though all have desired to be good speakers, not many have attempted the task, and but very few have succeeded. But I shall give my opinion of every one in such explicit terms, that it may be easily understood whom I consider as a mere declaimer, and whom as an orator. About the same time, or rather something later than the above-mentioned Julius, but almost contemporary with each other, were C. Cotta, P. Sulpicius, Q. Varius, Cn. Pomponius, C. Curio, L. Fufius, M. Drusus, and P. Antistius; for no age whatsoever
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has been distinguished by a more numerous progeny of orators. Of these, Cotta and Sulpicius, — both in my opinion and in that of the public at large, had an evident claim to the preference. But wherefore, interrupted Atticus, do you say, *in your own opinion, and in that of the public at large?* {In deciding the merits of an orator, does the opinion of the vulgar, think you, always coincide with that of the learned?} Or rather does not one receive the approbation of the populace, while another of a quite opposite character is preferred by those who are better qualified to give their judgment? You have started a very pertinent question, said I; but, perhaps, *the public at large* will not approve my answer to it. And what concern need *that* give you, replied Atticus, if it meets the approbation of Brutus? Very true, said I; for I had rather my *sentiments* on the qualifications of an orator should please you and Brutus, than all the world besides: but as to my *eloquence*, I should wish *this* to please every one. [For he who speaks in such a manner as to please the people, must inevitably receive the approbation of the learned.] As to the truth and propriety of what I hear, I am indeed to judge of this for myself, as well as I am able: but the general merit

merit of an orator must and will be decided by the effects which his eloquence produces. For (in my opinion at least) there are three things which an orator should be able to effect; *viz.* to *inform* his hearers, to *please* them, and to *move their passions*. By what qualities in the speaker each of these effects may be produced, or by what deficiencies they are either lost, or but imperfectly performed, is an enquiry which none but an artist can resolve: but whether an audience is really so affected by an orator as shall best answer his purpose, must be left to their own feelings, and the decision of the public. [The learned therefore and the people at large, have never disagreed about who was a good orator, and who was otherwise.]

For do you suppose, that while the speakers above-mentioned were in being, they had not the same degree of reputation among the learned as among the populace? If you had enquired of one of the latter, *who was the most eloquent man in the city*, he might have hesitated whether to say *Antonius* or *Crassus*; or this man, perhaps, would have mentioned the one, and that the other. But would any one have given the preference to *Philippus*, though

though otherwise a smooth, a sensible, and a facetious speaker?—that *Philippus* whom we, who form our judgment upon these matters by rules of art, have decided to have been the next in merit? Nobody would, I am certain.

For it is the invariable prerogative of an accomplished orator, to be reckoned such in the opinion of the people. Though *Antigenidas*, therefore, the musician, might say to his scholar, who was but coldly received by the public, *Play on, to please me and the Muses*;—I shall say to my friend *Brutus*, when he mounts the rostra, as he frequently does,—*Play to me and the people*;—that those who hear him may be sensible of the effect of his eloquence, while I can likewise amuse myself with remarking the causes which produce it.

When a citizen hears an able orator, he readily credits what is said;—he imagines every thing to be true, he believes and relishes the force of it; and, in short, the persuasive language of the speaker wins his absolute, his hearty assent. You, who are possessed of a critical knowledge of the art, what more will you require? The listening multitude is charmed and captivated by the force of his eloquence, and feels a pleasure which is not to be resisted. What
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here can you find to censure? The whole audience is either flushed with joy, or overwhelmed with grief;—it smiles or weeps,—it loves or hates,—it scorns or envies,—and, in short, is alternately seized with the various emotions of pity, shame, remorse, resentment, wonder, hope, and fear, according as it is influenced by the language, the sentiments, and the action of the speaker. In this case, what necessity is there to await the sanction of a critic? For here, whatever is approved by the feelings of the people, must be equally so by men of taste and erudition; and, in this instance of public decision, there can be no disagreement between the opinion of the vulgar, and that of the learned. For though many good speakers have appeared in every species of oratory, which of them who was thought to excel the rest in the judgment of the populace, was not approved as such by every man of learning? or which of our ancestors, when the choice of a pleader was left to his own option, did not immediately fix it either upon *Crassus* or *Antonius*? There were certainly many others to be had: but though any person might have hesitated to which of the above two he should give the preference, there was no-
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body, I believe, who would have made choice of a third: And in the time of my youth, when Cotta and Hortensius were in such high reputation, who, that had liberty to choose for himself, would have employed any other?

But what occasion is there, said Brutus, to quote the example of other speakers to support your assertion? have we not seen what has always been the wish of the defendant, and what the judgment of Hortensius, concerning yourself? for whenever the latter shared a cause with you, (and I was often present on those occasions) the peroration, which requires the greatest exertion of the powers of eloquence, was constantly left to *you*. It was, said I; and Hortensius (induced, I suppose, by the warmth of his friendship) always resigned the post of honour to *me*. But, as to myself, what rank I hold in the opinion of the people I am unable to determine: as to others, however, I may safely assert, that such of them as were reckoned most eloquent in the judgment of the vulgar, were equally high in the estimation of the learned. For even Demosthenes himself could not have said what is related of Antimachus, a poet of Claros, who, when he
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was rehearsing to an audience assembled for the purpose, that voluminous piece of his which you are well acquainted with, and was deserted by all his hearers except Plato, in the midst of his performance, cried out, *I shall proceed notwithstanding*; for Plato alone is of more consequence to me than many thousands. The remark was very just. For an abstruse poem, such as his, only requires the approbation of the judicious few: but a discourse intended for the people should be perfectly suited to their taste. If Demosthenes, therefore, after being deserted by the rest of his audience, had even Plato left to hear him, and no one else, I will answer for it, he could not have uttered another syllable. Nor could you yourself, my Brutus, if the whole assembly was to leave you, as it once did Curio? To open my whole mind to you, replied he, I must confess that even in such causes as fall under the cognizance of a few select judges, and not of the people at large, if I was to be deserted by the casual crowd who came to hear the trial, I should not be able to proceed. The case, then, is plainly this, said I; as a flute, which will not return its proper sound when it is applied to the lips, would be
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laid aside by the musician as useless; so, the ears of the people are the instrument upon which an orator is to play: and if these refuse to admit the breath he bestows upon them, or if the hearer, like a restive horse, will not obey the spur, the speaker must cease to exert himself any farther.

There is, however, this exception to be made; the people sometimes give their approbation to an orator who does not deserve it. But even here they approve what they have had no opportunity of comparing with something better: as, for instance, when they are pleased with an indifferent, or, perhaps, a bad speaker. His abilities satisfy their expectation: they have seen nothing preferable: and, therefore, the merit of the day, whatever it may happen to be, meets their full applause. For even a middling orator, if he is possessed of any degree of eloquence, will always captivate the ear: and the order and beauty of a good discourse has an astonishing effect upon the human mind. Accordingly, what common hearer who was present when Q. Scævola pleaded for M. Coponius, in the cause above-mentioned, would have wished for, or indeed thought it possible to find any thing which
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was more correct, more elegant, or more complete? When he attempted to prove, that, as M. Curius was left heir to the estate only in case of the death of his future ward before he came of age, he could not possibly be a legal heir, when the expected ward was never born; what did he leave unsaid of the scrupulous regard which should be paid to the literal meaning of every testament? what of the accuracy and preciseness of the old and established forms of law? and how carefully did he specify the manner in which the will would have been expressed, if it had intended that Curius should be the heir in case of a total default of issue? in what a masterly manner did he represent the ill consequences to the public, if the letter of a will should be disregarded, its intention decided by arbitrary conjectures, and the written bequests of plain illiterate men, left to the artful interpretation of a pleader? how often did he urge the authority of his father, who had always been an advocate for a strict adherence to the letter of a testament? and with what emphasis did he enlarge upon the necessity of supporting the common forms of law? All which particulars he discussed not only with great art and ingenuity; but in such
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a neat,—such a close,—and, I may add, in so florid and so elegant a style, that there was not a single person among the common part of the audience, who could expect any thing more complete, or even think it possible to exist.

But when Crassus, who spoke on the opposite side, began with the story of a notable youth, who having found a cock-boat as he was rambling along the shore, took it into his head immediately that he would build a ship to it; and when he applied the tale to Scævola, who, from the cock-boat of an argument [which he had deduced from certain imaginary ill consequences to the public] represented the decision of a private will to be a matter of such importance as to deserve the attention of the *Centumviri*; when Crassus, I say, in the beginning of his discourse, had thus taken off the edge of the strongest plea of his antagonist, he entertained his hearers with many other turns of a similar kind; and, in a short time, changed the serious apprehensions of all who were present into open mirth and good-humour; which is one of those three effects which I have just observed an orator should be able to produce. He then proceeded to remark that it was evidently the intention and
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the will of the testator, that in case, either by death, or default of issue, there should happen to be no son to fall to his charge, the inheritance should devolve to Curius: that most people in a similar case would express themselves in the same manner, and that it would certainly stand good in law, and always had. By these, and many other observations of the same kind, he gained the assent of his hearers; which is another of the three duties of an orator. Lastly, he supported, at all events, the true meaning and spirit of a will, against the literal construction: justly observing, that there would be an endless cavilling about words, not only in wills, but in all other legal deeds, if the real intention of the party was to be disregarded: and hinting very smartly, that his friend Scævola had assumed a most unwarrantable degree of importance, if no person must afterwards presume to indite a legacy, but in the musty form which he himself might please to prescribe. As he enlarged on each of these arguments with great force and propriety, supported them by a number of precedents, exhibited them in a variety of views, and enlivened them with many occasional turns of wit and pleasantry, he gained so much applause,

plause, and gave such general satisfaction, that it was scarcely remembered that any thing had been said on the contrary side of the question. This was the third, and the most important duty we assigned to an orator. Here, if one of the people was to be judge, the same person who had heard the first speaker with a degree of admiration, would, on hearing the second, despise himself for his former want of judgment : whereas a man of taste and erudition, on hearing Scævola, would have observed that he was really master of a rich and ornamental style ; but if, on comparing the manner in which each of them concluded his cause, it was to be enquired which of the two was the best orator, the decision of the man of learning would not have differed from that of the vulgar.

— What advantage, then, it will be said, has the skilful critic over the illiterate hearer ? A great and very important advantage ; if it is indeed a matter of any consequence, to be able to discover by what means that which is the true and real end of speaking, is either obtained or lost. He has likewise this additional superiority, that when two or more orators, as has frequently happened, have

have shared the applauses of the public, he can judge, on a careful observation of the principal merits of each, what is the most perfect character of eloquence : *(since whatever does not meet the approbation of the people, must be equally condemned by a more intelligent hearer.)* For as it is easily understood by the sound of a harp, whether the strings are skilfully touched ; so it may likewise be discovered from the manner in which the passions of an audience are affected, how far the speaker is able to command them. A man, therefore, who is a real connoisseur in the art, can sometimes by a single glance, as he passes through the forum, and without stopping to listen attentively to what is said, form a tolerable judgment of the ability of the speaker. When he observes any of the bench either yawning, or speaking to the person who is next to him, or looking carelessly about him, or sending to enquire the time of day, or teasing the quæstor to dismiss the court ; he concludes very naturally that the cause upon trial is not pleaded by an orator who understands how to apply the powers of language to the passions of the judges, as a skilful musician applies his fingers to the harp. On the other hand, if, as

he passes by, he beholds the judges looking attentively before them, as if they were either receiving some material information, or visibly approved what they had already heard—if he sees them listening to the voice of the pleader with a kind of ecstasy, like a fond bird to some melodious tune; and, above all, if he discovers in their looks any strong indications of pity, abhorrence, or any other emotion of the mind; though he should not be near enough to hear a single word, he immediately discovers that the cause is managed by a real orator, who is either performing, or has already played his part to good purpose.

After I had concluded these digressive remarks, my two friends were kind enough to signify their approbation, and I resumed my subject. As this digression, said I, took its rise from Cotta and Sulpicius, whom I mentioned as the two most approved orators of the age they lived in, I shall first return to *them*, and afterwards notice the rest in their proper order, according to the plan we began upon. I have already observed that there are two classes of *good* orators (for we have no concern with any others) of which the former are distinguished by the simple neatness and brevity of their language,

language, and the latter by their copious dignity and elevation: but although the preference must always be given to that which is great and striking; yet, in speakers of real merit, whatever is most perfect of the kind, is justly entitled to our commendation. It must, however, be observed, that the close and simple orator should be careful not to sink into a dryness and poverty of expression; while, on the other hand, the copious and more stately speaker should be equally on his guard against a swelling and empty parade of words. To begin with Cotta, he had a ready, quick invention, and spoke correctly and freely; and as he very prudently avoided every forcible exertion of his voice, on account of the weakness of his lungs, so his language was equally adapted to the delicacy of his constitution. There was nothing in his style but what was neat, compact, and healthy; and (what may justly be considered as his greatest excellence) though he was scarcely able, and therefore never attempted to force the passions of the judges by a strong and spirited elocution, yet he managed them so artfully, that the gentle emotions he raised in them, answered exactly the same purpose, and produced the

same effect, as the violent ones which were excited by Sulpicius. For Sulpicius was really the most striking, and, if I may be allowed the expression, the most tragical orator I ever heard: his voice was strong and sonorous, and yet sweet and flowing: his gesture and his deportment were graceful and ornamental, but in such a style as to appear to have been formed for the forum, and not for the stage: and his language, though rapid and voluble, was neither loose nor exuberant. He was a professed imitator of Crassus, while Cotta chose Antonius for his model: but the latter wanted the force of Antonius, and the former the agreeable humour of Crassus.

How extremely difficult, then, said Brutus, must be the art of speaking, when such consummate orators as these were each of them destitute of one of its principal beauties! We may likewise observe, said I, in the present instance, that two orators may have the highest degree of merit, who are totally unlike each other: for none could be more so than Cotta and Sulpicius, and yet both of them were far superior to any of their contemporaries. It is therefore the business of every intelligent master to notice what is the natural bent of his pupil's

pupil's capacity; and taking that for his guide, to imitate the conduct of Isocrates with his two scholars Theopompus and Ephorus, who, after remarking the lively genius of the former, and the mild and timid bashfulness of the latter, is reported to have said, that he applied a spur to the one, and a curb to the other. The orations now extant, which bear the name of Sulpicius, are supposed to have been written after his decease by my contemporary P. Canutius, a man indeed of inferior rank, but who, in my mind, had a great command of language. But we have not a single speech of Sulpicius that was really his own: for I have often heard him say, that he neither had, nor ever could commit any thing of the kind to writing. And as to Cotta's speech in defence of himself, called a vindication of the *Varian law*, it was composed, at his own request, by L. Ælius. This Ælius was a man of merit, and a very worthy Roman knight, who was thoroughly versed in the Greek and Roman literature. He had likewise a critical knowledge of the antiquities of his country, both as to the date and particulars of every new improvement, and every memorable transaction, and was perfectly well read in the ancient writers;

ters ;—a branch of learning in which he was succeeded by our friend Varro, a man of genius, and of the most extensive erudition, who afterwards enlarged the plan by many valuable collections of his own, and gave a much fuller and more elegant system of it to the public. (For Ælius himself chose to assume the character of a stoic, and neither aimed to be, nor ever was an orator) but he composed several orations for other people to pronounce ; as for Q. Metellus, F. Q. Cæpio, and Q. Pompeius Rufus ; though the latter composed those speeches himself which he spoke in his own defence, but not without the assistance of Ælius. For I myself was present at the writing of them, in the younger part of my life, when I used to attend Ælius for the benefit of his instructions. But I am surprised that Cotta, who was really an excellent orator, and a man of good learning, should be willing that the trifling speeches of Ælius should be published to the world as *his*.

To the two above-mentioned, no third person of the same age was esteemed an equal : Pomponius, however, was a speaker much to my taste ; or, at least, I have very little fault to find with him. But there was no employment
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for any in capital causes, excepting for those I have already mentioned ; because Antonius, who was always courted on these occasions, was very ready to give his service ; and Crassus, though not so compliable, generally consented, on any pressing solicitation, to give *his*. Those who had not interest enough to engage either of these, commonly applied to Philip, or Cæsar ; but when Cotta and Sulpicius were at liberty, they generally had the preference : so that all the causes in which any honour was to be acquired, were pleaded by these six orators. We may add, that trials were not so frequent then as they are at present ; neither did people employ, as they do now, several pleaders on the same side of the question,—a practice which is attended with many disadvantages. For hereby we are often obliged to speak in reply to those whom we had not an opportunity of hearing ; in which case what has been alledged on the opposite side, is often represented to us either falsely or imperfectly ; and besides, it is a very material circumstance, that I myself should be present to see with what countenance my antagonist supports his allegations, and, still more so, to observe the effect of every part of his discourse upon the audience. And as

every defence should be conducted upon one uniform plan, nothing can be more improperly contrived, than to recommence it by assigning the peroration, or pathetic part of it, to a second advocate. For every cause can have but one natural introduction and conclusion; and all the other parts of it, like the members of an animal body, will best retain their proper strength and beauty, when they are regularly disposed and connected. We may add, that as it is very difficult in a single oration of any length, to avoid saying something which does not comport with the rest of it so well as it ought to do, how much more difficult must it be to contrive that nothing shall be said, which does not tally exactly with the speech of another person who has spoken before you? But as it certainly requires more labour to plead a whole cause, than only a part of it, and as many advantageous connections are formed by assisting in a suit in which several persons are interested, the custom, however preposterous in itself, has been readily adopted.

There were some, however, who esteemed Curio the third best orator of the age; perhaps, because his language was brilliant and pompous, and because he had a habit (for which I suppose

suppose he was indebted to his domestic education) of expressing himself with tolerable correctness: for he was a man of very little learning. But it is a circumstance of great importance, what sort of people we are used to converse with at home, especially in the more early part of life; and what sort of language we have been accustomed to hear from our tutors and parents, not excepting the mother. We have all read the letters of Cornelia, the mother of the Gracchi; and are satisfied, that her sons were not so much nurtured in their mother's lap, as in the elegance and purity of her language. I have often too enjoyed the agreeable conversation of Lælia, the daughter of Caius, and observed in her a strong tincture of her father's elegance. I have likewise conversed with his two daughters, the Muciæ, and his granddaughters, the two Liciniæ, with one of whom (the wife of Scipio) you, my Brutus, I believe, have sometimes been in company. I have, replied he, and was much pleased with her conversation; and the more so, because she was the daughter of Crassus. And what think you, said I, of Crassus the son of that Licinia, who was adopted by Crassus in his will? He is said, replied he, to have been a man of great genius: and

and the Scipio you have mentioned, who was my colleague, likewise appears to me to have been a good speaker, and an elegant companion. Your opinion, my Brutus, said I, is very just. For this family, if I may be allowed the expression, seems to have been the offspring of wisdom. As to their two grandfathers, Scipio and Crassus, we have taken notice of them already : as we also have of their great grandfathers, Q. Metellus, who had four sons,—P. Scipio, who, when a private citizen, rescued the republic from the arbitrary influence of T. Gracchus,—and Q. Scævola, the augur, who was the ablest and most affable civilian of his time. And lastly, how illustrious are the names of their next immediate progenitors, P. Scipio, who was twice consul, and was called the darling of the people,—and C. Lælius, who was esteemed the wisest of men ? A generous stock indeed ! cries Brutus, into which the wisdom of many has been successively ingrafted, like a number of scions on the same tree !

I have likewise a suspicion, replied I, (if we may compare small things with great) that Curio's family, though he himself was left an orphan, was indebted to his father's instruction, and good example, for the habitual purity of their

their language : and so much the more, because, of all those who were held in any estimation for their eloquence, I never knew one who was so totally uninformed and unskilled in every branch of liberal science. He had not read a single poet, or studied a single orator ; and he knew little or nothing either of public, civil, or common law. We might say almost the same, indeed, of several others, and some of them very able orators, who (we know) were but little acquainted with these useful parts of knowledge ; as, for instance, of Sulpicius and Antonius. But this deficiency was supplied in them by an elaborate knowledge of the art of speaking ; and there was not one of them who was totally unqualified in any of the five^h principal parts of which it is composed : for whenever this is the case, (and it matters not in which of those parts it happens) it entirely incapacitates a man to shine as an orator. Some, however, excelled in one part, and some in another. Thus Antonius could readily invent such arguments as were most in point, and afterwards digest and methodize them to the

^h Invention, disposition, elocution, memory, and pronunciation.

the best advantage ; and he could likewise retain the plan he had formed with great exactness : but his chief merit was the goodness of his delivery, in which he was justly allowed to excel. In some of these qualifications he was upon an equal footing with Crassus, and in others he was superior : but then the language of Crassus was indisputably preferable to *his*. In the same manner, it cannot be said that either Sulpicius or Cotta, or any other speaker of repute, was absolutely deficient in any one of the five parts of oratory. But we may justly infer from the example of Curio, that nothing will more recommend an orator, than a brilliant and ready flow of expression ; for he was remarkably dull in the invention, and very loose and unconnected in the disposition of his arguments.

The two remaining parts are pronunciation and memory ; in each of which he was so miserably defective, as to excite the laughter and the ridicule of his hearers. His gesture was really such as C. Julius represented it, in a severe sarcasm, that will never be forgotten ; for as he was swaying and reeling his whole body from side to side, Julius facetiously enquired *who it was that was speaking from a boat*.

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To the same purpose was the jest of Cn. Sici-
nius, a man very vulgar, but exceedingly humorous, which was the only qualification he had to recommend him as an orator. When this man, as tribune of the people, had summoned Curio and Octavius, who were then consuls, into the forum, and Curio had delivered a tedious harangue, while Octavius sat silently by him, wrapt up in flannels, and besmeared with ointments, to ease the pain of the gout ; *Octavius, said he, you are infinitely obliged to your colleague ; for if he had not tossed and flung himself about to-day, in the manner he did, you would certainly have been decoured by the flies*. As to his memory, it was so extremely treacherous, that after he had divided his subject into three general heads, he would sometimes, in the course of speaking, either add a fourth, or omit the third. In a capital trial, in which I had pleaded for Titinia, the daughter of Cotta, when he attempted to reply to me in defence of Serv. Nævius, he suddenly forgot every thing he intended to say, and attributed it to the pretended witchcraft, and magic artifices of Titinia. These were undoubted proofs of the weakness of his memory. But, what is still more inexcusable, he some-

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times

times forgot, even in his written treatises, what he had mentioned but a little before. Thus, in a book of his, in which he introduces himself as entering into conversation with our friend Pansa, and his son Curio, when he was walking home from the senate-house ; the senate is supposed to have been summoned by Cæsar in his first consulship ; and the whole conversation arises from the son's enquiry what the house had resolved upon. Curio launches out into a long invective against the conduct of Cæsar, and as is generally the custom in dialogues, the parties are engaged in a close dispute on the subject : but very unhappily, though the conversation commences at the breaking up of the senate which Cæsar held when he was first consul, the author censures those very actions of the same Cæsar, which did not happen till the next, and several other succeeding years of his government in Gaul.

Is it possible then, said Brutus, with an air of surprise, that any man, (and especially in a written performance) could be so forgetful as not to discover, upon a subsequent perusal of his own work, what an egregious blunder he had committed ?—Very true, said I ; for if he wrote with a design to discredit the measures
which

which he represents in such an odious light, nothing could be more stupid than not to commence his dialogue at a period which was subsequent to those measures. But he so entirely forgets himself, as to tell us, that he did not choose to attend a senate which was held in one of Cæsar's future consulships, in the very same dialogue in which he introduces himself as returning home from a senate which was held in his first consulship. It cannot, therefore, be wondered at, that he who was so remarkably defective in a faculty which is the handmaid of our other intellectual powers, as to forget, even in a written treatise, a material circumstance which he had mentioned but a little before, should find his memory fail him, as it generally did, in a sudden and unpremeditated harangue. It accordingly happened, though he had many connections, and was fond of speaking in public, that few causes were intrusted to his management. But, among his contemporaries, he was esteemed next in merit to the first orators of the age ; and that merely, as I said before, for his good choice of words, and his uncommon readiness, and great fluency of expression. His orations, therefore, may deserve a cursory perusal. It is true, indeed, they are much too
K 2 languid

languid and spiritless ; but they may yet be of service to enlarge and improve an accomplishment, of which he certainly had a moderate share ; and which has so much force and efficacy, that it gave Curio the appearance and reputation of an orator, without the assistance of any other good quality.

But to return to our subject,—C. Carbo, of the same age, was likewise reckoned an orator of the second class : he was the son, indeed, of the truly eloquent man before-mentioned, but was far from being an acute speaker himself : he was, however, esteemed an orator. His language was tolerably nervous, he spoke with ease,—and there was an air of authority in his address that was perfectly natural. But Q. Varius was a man of quicker invention, and, at the same time, had an equal freedom of expression : besides which, he had a bold and spirited delivery, and a vein of elocution which was neither poor, nor coarse and vulgar ;—in short, you need not hesitate to pronounce him an *orator*. Cn. Pomponius was a vehement, a rousing, and a fierce and eager speaker, and more inclined to act the part of a prosecutor, than of an advocate. But far inferior to these was L. Fufius ; though his application was, in some measure,

measure, rewarded by the success of his prosecution against M. Aquilius. For as to M. Drusus, your great uncle, who spoke like an orator only upon matters of government ;—L. Lucullus, who was indeed an artful speaker, and your father, my Brutus, who was well acquainted with the common and civil law ;—M. Lucullus, and M. Octavius, the son of Cnæus, who was a man of so much authority and address, as to procure the repeal of Sempromius's corn-act, by the suffrages of a full assembly of the people ;—Cn. Octavius, the son of Marcus,—and M. Cato, the father, and Q. Catulus, the son ;—we must excuse *these* (if I may so express myself) from the fatigues and dangers of the field,—that is, from the management of judicial causes, and place them in garrison over the general interests of the republic, a duty to which they seem to have been sufficiently adequate. I should have assigned the same post to Q. Cæpio, if he had not been so violently attached to the equestrian order, as to set himself at variance with the senate. I have also remarked, that Cn. Carbo, M. Marius, and several others of the same stamp, who would not have merited the attention of an audience that had any taste for elegance, were ex-

tremely well suited to address a tumultuous crowd. In the same class, (if I may be allowed to interrupt the series of my narrative) L. Quintius lately made his appearance : though Palicanus, it must be owned, was still better adapted to please the ears of the populace. But, as I have mentioned this inferior kind of speakers, I must be so just to L. Apuleius Saturninus, as to observe that, of all the factious declaimers since the time of the Gracchi, he was generally esteemed the ablest : and yet he caught the attention of the public, more by his appearance, his gesture, and his dress, than by any real fluency of expression, or even a tolerable share of good sense. But C. Servilius Glaucia, though the most abandoned wretch that ever existed, was very keen and artful, and excessively humorous ; and notwithstanding the meanness of his birth, and the depravity of his life, he would have been advanced to the dignity of a consul in his prætorship, if it had been judged lawful to admit his suit : for the populace were entirely at his devotion, and he had secured the interest of the knights, by an act he had procured in their favour. He was slain in the open forum, while he was prætor, on the same day as the tribune Saturninus, in
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the consulship of Marius and Flaccus ; and bore a near resemblance to Hyperbolus, the Athenian, whose profligacy was so severely stigmatized in the old Attic comedies. These were succeeded by Sext. Titius, who was indeed a voluble speaker, and possessed a ready comprehension ; but he was so loose and effeminate in his gesture, as to furnish room for the invention of a dance, which was called the *Titian jig* ; so careful should we be to avoid every peculiarity in our manner of speaking, which may afterwards be exposed to ridicule by a ludicrous imitation.

But we have rambled back insensibly to a period which has been already examined : let us, therefore, return to that which we were reviewing a little before. Contemporary with Sulpicius was P. Antistius,—a plausible declaimer, who, after being silent for several years, and exposed, (as he often was) not only to the contempt, but the derision of his hearers, first spoke with applause in his tribuneship, in a real and very interesting protest against the illegal application of C. Julius for the consulship : and that so much the more, because though Sulpicius himself, who then happened to be his colleague, spoke on the same side of

the debate, Antistius argued more copiously, and to better purpose. This raised his reputation so high, that many, and (soon afterwards) every cause of importance, was eagerly recommended to his patronage. To speak the truth, he had a quick conception, a methodical judgment, and a retentive memory; and though his language was not much embellished, it was very far from being low. In short, his style was easy and flowing, and his appearance rather genteel than otherwise: but his action was a little defective, partly through the disagreeable tone of his voice, and partly by a few ridiculous gestures, of which he could not entirely break himself. He flourished in the time between the flight and the return of Sylla, when the republic was deprived of a regular administration of justice, and of its former dignity and splendour. But the very favourable reception he met with was, in some measure, owing to the forum being in a great measure destitute of good orators. For Sulpicius was dead; Cotta and Curio were abroad; and no pleaders of any eminence were left but Carbo and Pomponius, from each of whom he easily carried off the palm.

His nearest successor in the following age
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was L. Sisenna, who was a man of learning, had a taste for the liberal sciences, spoke the Roman language with accuracy, was well acquainted with the laws and constitution of his country, and had a tolerable share of wit; but he was not a speaker of any great application, or extensive practice; and as he happened to live in the intermediate time between the appearance of Sulpicius and Hortensius, he was unable to equal the former, and forced to yield to the superior talents of the latter. We may easily form a judgment of his abilities from the historical works he has left behind him; which, though evidently preferable to any thing of the kind which had appeared before, may serve as a proof that he was far below the standard of perfection, and that this species of composition had not then been improved to any great degree of excellence among the Romans. But the genius of Q. Hortensius, even in his early youth, like one of Phidias's statues, was no sooner beheld than it was universally admired! He spoke his first oration in the forum in the consulship of L. Crassus and Q. Scævola, to whom it was personally addressed; and though he was then only nineteen years old, he descended from the rostra with the hearty approbation

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not only of the audience in general, but of the two consuls themselves, who were the most intelligent judges in the whole city. He died in the consulship of L. Paulus and C. Marcellus; from which it appears that he was four-and-forty years a pleader. We shall review his character more at large in the sequel: but in this part of my history, I chose to include him in the number of orators who were rather of an earlier date. This indeed must necessarily happen to all whose lives are of any considerable length: for they are equally liable to a comparison with their elders and their juniors; as in the case of the poet Attius, who says that both he and Pacuvius applied themselves to the cultivation of the drama under the same Ædiles; though, at the time, the one was eighty, and the other only thirty years old. Thus Hortensius may be compared not only with those who were properly his contemporaries, but with me, and you, my Brutus, and with others of a prior date. For he began to speak in public while Crassus was living; but his fame increased when he appeared as a joint advocate with Antonius and Philip (at that time in the decline of life) in defence of Cn. Pompeius,—a cause in which (though a mere youth)

youth) he distinguished himself above the rest. He may therefore be included in the list of those whom I have placed in the time of Sulpicius; but among his proper coëvals, such as M. Piso, M. Crassus, Cn. Lentulus, and P. Lentulus Sura, he excelled beyond the reach of competition; and after these he happened upon me, in the early part of my life (for I was eight years younger than himself) and spent a number of years with me in pursuit of the same forensic glory: and at last, (a little before his death) he once pleaded with *you*, in defence of Appius Claudius, as I have frequently done for others.

Thus you see, my Brutus, I am come insensibly ~~to yourself~~, though there was undoubtedly a great variety of orators between my first appearance in the forum, and yours. But as I determined, when we began the conversation, to make no mention of those among them who are still living, to prevent your enquiring too minutely what is my opinion concerning each; I shall confine myself to such as are now no more. That is not the true reason, said Brutus, why you choose to be silent about the living. What then do you suppose it to be? said I. You are only fearful, replied he, that
your

your remarks should afterwards be mentioned by us in other company, and that, by this means, you should expose yourself to the resentment of those, whom you may not think it worth your while to notice. Indeed, answered I, I have not the least doubt of your secrecy. Neither have you any reason, said he? but after all, I suppose, you had rather be silent *yourself*, than rely upon *our* taciturnity. To confess the truth, replied I, when I first entered upon the subject, I never imagined that I should have extended it to the age now before us; whereas I have been drawn by a continued series of history among the moderns of latest date. Introduce, then, said he, those intermediate orators you may think worthy of our notice: and afterwards let us return to yourself, and Hortensius. To Hortensius, replied I, with all my heart; but as to my *own* character, I shall leave it to other people to examine, if they choose to take the trouble. I can by no means agree to *that*, said he: for though every part of the account you have favoured us with, has entertained me very agreeably, it now begins to seem tedious, because I am impatient to hear something of *yourself*: I do not mean the wonderful qualities, but the *progressive*

steps, and advances of your eloquence; for the former are sufficiently known already both to *me*, and the whole world. As you do not require me, said I, to sound the praises of my own genius, but only to describe my labour and application to improve it, your request shall be complied with. But to preserve the order of my narrative, I shall first introduce such other speakers as I think ought to be previously noticed.

And I shall begin with *M. Crassus*, who was contemporary with Hortensius. With a tolerable share of learning, and a very moderate capacity, his application, assiduity, and interest, procured him a place among the ablest pleaders of the time for several years. His language was pure, his expression neither low nor vulgar, and his ideas well digested: but he had nothing in him that was florid, and ornamental; and the real ardor of his mind was not supported by any vigorous exertion of his voice, so that he pronounced almost every thing in the same *uniform* tone. His equal, and professed antagonist, *C. Fimbria*, was not able to maintain his character so long; and though he always spoke with a strong and elevated voice, and poured forth a rapid torrent of

of well-chosen expressions, he was so immoderately vehement that you might justly be surprised that the people should have been so absent and inattentive as to admit a *madman*, like him, into the list of orators. As to Cn. Lentulus, his action acquired him a reputation for his eloquence very far beyond his real abilities: for though he was not a man of any great penetration (notwithstanding he carried the appearance of it in his countenance) nor possessed any real fluency of expression (though he was equally specious in this respect as in the former) yet by his sudden breaks, and exclamations, he affected such an ironical air of surprise, with a sweet and sonorous turn of voice, and his whole action was so warm and lively, that his defects were scarcely noticed. For as Curio acquired the reputation of an orator with no other quality than a tolerable freedom of elocution, so Cn. Lentulus concealed the mediocrity of his other accomplishments by his *action*, which was really excellent. Much the same might be said of P. Lentulus, whose poverty of invention and expression was secured from notice by the mere dignity of his presence, his correct and graceful gesture, and the strength and sweetness of his

his voice: and his merit depended so entirely upon his action, that he was more deficient in every other quality than his namesake.

But *M. Piso* derived all his talents from his erudition; for he was much better versed in the Grecian literature than any of his predecessors. He had, however, a natural keenness of discernment, which he greatly improved by art, and exerted with great address and dexterity, though in very indifferent language: but he was frequently warm and *choleric*, sometimes cold and insipid, and now and then rather smart and humorous. He did not long support the fatigue, and emulous contention of the forum; partly on account of the weakness of his constitution; and partly, because he could not submit to the follies and impertinencies of the common people (which we orators are forced to swallow) either, as it was generally supposed, from a peculiar moroseness of temper, or from a liberal and ingenuous pride of heart. After acquiring, therefore, in his youth a tolerable degree of reputation, his character began to sink: but in the trial of the vestals, he again recovered it with some additional lustre, and being thus recalled to the theatre of eloquence, he kept his rank, as long

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as he was able to support the fatigue of it; after which his credit declined, in proportion as he remitted his application. *P. Murena* had a moderate genius, but was passionately fond of the study of antiquity; he applied himself with equal diligence to the belles lettres, in which he was tolerably versed; in short, he was a man of great industry, and took the utmost pains to distinguish himself. *C. Censorinus* had a good stock of Grecian literature, explained whatever he advanced with great neatness and perspicuity, and had a graceful action, but was too cold and unanimated for the forum. *L. Turius* with a very indifferent genius, but the most indefatigable application, spoke in public very often, in the best manner he was able; and accordingly, he only wanted the votes of a few centuries to promote him to the consulship. *C. Macer* was never a man of much interest or authority, but was one of the most active pleaders of his time; and if his life, his manners, and his very looks, had not ruined the credit of his genius, he would have ranked higher in the list of orators. He was neither copious, nor dry and barren; neither neat and embellished, nor wholly inelegant; and his voice, his gesture, and every part of his action,

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was without any grace: but in inventing and digesting his ideas, he had a wonderful accuracy, such as no man I ever saw either possessed or exerted in a more eminent degree; and yet, some how, he displayed it rather with the air of a quibbler, than of an orator. Though he had acquired some reputation in public causes, he appeared to most advantage and was most courted and employed in private ones.

C. Piso, who comes next in order, had scarcely any exertion, but he was a speaker who adopted a very familiar style; and though, in fact, he was far from being slow of invention, he had more penetration in his look and appearance than he really possessed. His contemporary *M. Glabrio*, though carefully instructed by his grandfather *Scævola*, was prevented from distinguishing himself by his natural indolence and want of attention. *L. Torquatus*, on the contrary, had an elegant turn of expression, and a clear comprehension, and was perfectly genteel and well-bred in his whole manner. But *Cn. Pompeius*, my coëval, a man who was born to excel in every thing, would have acquired a more distinguished reputation for his eloquence, if he had not

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been diverted from the pursuit of it by the more dazzling charms of military fame. His language was naturally bold and elevated, and he was always master of his subject; and as to his powers of enunciation, his voice was sonorous and manly, and his gesture noble, and full of dignity. D. Silanus, another of my contemporaries, and your father-in-law, was not a man of much application, but he had a very competent share of discernment and elocution. Q. Pompeius, the son of Aulus, who had the title of *Bithynicus*, and was about two years older than myself, was, to my own knowledge, remarkably fond of the study of eloquence, had an uncommon stock of learning, and was a man of indefatigable industry and perseverance: for he was connected with me and M. Piso, not only as an intimate acquaintance, but as an associate in our studies and private exercises. His elocution was but ill recommended by his action: for though the former was sufficiently copious and diffusive, there was nothing graceful in the latter. His contemporary, P. Autronius, had a very clear, and strong voice; but he was distinguished by no other accomplishment. L. Octavius Reatinus died in his youth, while he was in full practice: but

but he ascended the rostra with more assurance, than ability. C. Stajenus, who changed his name into *Ælius* by a kind of self-adoption, was a warm, an abusive, and indeed a furious speaker; which was so agreeable to the taste of many, that he would have risen to some rank in the state, if it had not been for a crime of which he was clearly convicted, and for which he afterwards suffered.

At the same time were the two brothers C. and L. Cæpasius, who, though men of an obscure family and little previous consequence, were yet, by mere dint of application, suddenly promoted to the quæstorship, with no other recommendation than a provincial and unpolished kind of oratory. That I may not seem wilfully to omit any declaimer, I must also notice C. Cosconius Calidianus, who, without any discernment, amused the people with a rapidity of language (if such it might be called) which he attended with a perpetual hurry of action, and a most violent exertion, of his voice. Of much the same cast was Q. Arrius, who may be considered as a second-hand M. Crassus. He is a striking proof of what consequence it is in such a city as ours to devote one's-self to the interests of *the many*, and to be as active as possible in promoting their safety,

or their honour. For by these means, though of the lowest parentage, having raised himself to offices of rank, and to considerable wealth and influence, he likewise acquired the reputation of a tolerable patron, without either learning or abilities. But as inexperienced champions, who, from a passionate desire to distinguish themselves in the circus, can bear the blows of their opponents without shrinking, are often overpowered by the heat of the sun, when it is increased by the reflection of the sand; so *he*, who had hitherto supported even the sharpest encounters with good success, could not stand the severity of that year of judicial contest, which blazed upon him like a summer's sun.

Upon my word, cried Atticus, you are now treating us with the very *dregs* of oratory, and you have entertained us in this manner for some time: but I did not offer to interrupt you, because I never dreamed you would have descended so low as to mention the *Stajeni* and *Autronii*! As I have been speaking of the dead, you will not imagine, I suppose, said I, that I have done it to court their favour: but in pursuing the order of history, I was necessarily led by degrees to a period of time which falls within the compass of our own knowledge.

ledge. But I wish it to be noticed, that after recounting all who ever ventured to speak in public, we find but few, (very few indeed!) whose names are worth recording; and not many who had even the *repute* of being orators. Let us, however, return to our subject.

T. Torquatus, then, the son of Titus, was a man of learning, (which he first acquired in the school of Molo in Rhodes,) and of a free and easy elocution which he received from nature. If he had lived to a proper age, he would have been chosen consul, without any solicitation; but he had more ability for speaking than inclination; so that, in fact, he did not do justice to the art he professed; and yet he was never wanting to his duty, either in the private causes of his friends and dependents, or in his senatorial capacity. My townsman too, *P. Pontidius*, pleaded a number of private causes. He had a rapidity of expression, and a tolerable quickness of comprehension: but he was very warm, and indeed rather too choleric and irascible; so that he often wrangled not only with his antagonist, but (what appears very strange) with the judge himself, whom it was rather his business to sooth and gratify.

gratify. M. Messala, who was something younger than myself, was far from being a poor and an abject pleader, and yet he was not a very embellished one. He was judicious, penetrating, and wary, very exact in digesting and methodizing his subject, and a man of uncommon diligence and application, and of very extensive practice. As to the two Metelli (Celer and Nepos) these also had a moderate share of employment at the bar; but being destitute neither of learning nor abilities, they chiefly applied themselves (and with some success) to debates of a more popular kind. But Caius Lentulus Marcellinus, who was never reckoned a bad speaker, was esteemed a very eloquent one in his consulship. He wanted neither sentiment, nor expression; his voice was sweet and sonorous; and he had a sufficient stock of humour. C. Memmius, the son of Lucius, was a perfect adept in the learning of the Greeks; for he had an insuperable disgust to the literature of the Romans. He was a neat and polished speaker, and had a sweet and harmonious turn of expression; but as he was equally averse to every laborious effort either of the mind or the tongue, his eloquence declined

declined in proportion as he lessened his application.

But I heartily wish, said Brutus, that you would give us your opinion of those orators who are still living; or, if you are determined to say nothing of the rest, there are two at least, (that is Cæsar and Marcellus, whom I have often heard you speak of with the highest approbation) whose characters would give me as much entertainment as any of those you have already specified. But why, answered I, should you expect that I should give you my opinion of men who are as well known to yourself as to me? Marcellus, indeed, replied he, I am very well acquainted with; but as to Cæsar, I know little of *him*. For I have *heard* the former very often: but, by the time I was able to judge for myself, the latter had set out for his province. But what, said I, think you of *him* whom you have heard so often? What else can I think, replied he, but that you will soon have an orator, who will very nearly resemble yourself? If that is the case, answered I, pray think of him as favourably as you can. I do, said he; for he pleases me very highly; and not without reason. He is absolutely master of his profession, and, neglecting every other,

has applied himself solely to *this* ; and, for that purpose, has persevered in the rigorous task of composing a daily essay in writing. His words are well chosen ; his language is full and copious ; and every thing he says receives an additional ornament from the graceful tone of his voice, and the dignity of his action. In short, he is so complete an orator, that there is no quality I know of, in which I can think him deficient. But he is still more to be admired, for being able, in these unhappy times, (which are marked with a distress that, by some cruel fatality, has overwhelmed us all) to console himself, as opportunity offers, with the consciousness of his own integrity, and by the frequent renewal of his literary pursuits. I saw him lately at Mitylene ; and then (as I have already hinted) I saw him a *thorough man*. For though I had before discovered in him a strong resemblance of yourself, the likeness was much improved, after he was enriched by the instructions of your learned, and very intimate friend Cratippus. Though I acknowledge, said I, that I have listened with pleasure to your eulogies on a very worthy man, for whom I have the warmest esteem, they have led me insensibly to the recollection of our common miseries

series, which our present conversation was intended to suspend. But I would willingly hear what is Atticus's opinion of Cæsar.

Upon my word, replied Atticus, you are wonderfully consistent with your plan, to say nothing *yourself* of the living : and indeed, if you was to deal with *them*, as you already have with the *dead*, and say something of every paltry fellow that occurs to your memory, you would plague us with *Autronii* and *Stejani* without end. But though you might possibly have it in view not to incumber yourself with such a numerous crowd of insignificant wretches ; or perhaps, to avoid giving any one room to complain that he was either unnoticed, or nor extolled according to his imaginary merit ; yet, certainly, you might have said something of Cæsar : especially, as your opinion of *his* abilities is well known to every body, and his concerning *your's* is very far from being a secret. But, however, said he, (addressing himself to Brutus) I really think of Cæsar, and every body else says the same of this accurate master in the art of speaking, that he has the purest and the most elegant command of the Roman language of all the orators that have yet appeared : and that not merely by domestic habit, as we have

have lately heard it observed of the families of the Lælii and the Mucii, (though even here, I believe, this might partly have been the case) but he chiefly acquired and brought it to its present perfection, by a studious application to the most intricate and refined branches of literature, and by a careful and constant attention to the purity of his style. But that *he*, who, involved as he was in a perpetual hurry of business, could dedicate to *you*, my Cicero, a laboured treatise on the art of speaking correctly; that *he*, who, in the first book of it, laid it down as an axiom, that an accurate choice of words is the foundation of eloquence: and who has bestowed, said he, (addressing himself again to Brutus) the highest encomiums on this friend of ours, who yet chooses to leave Cæsar's character to *me*;—that *he* should be a perfect master of the language of polite conversation, is a circumstance which is almost too obvious to be mentioned. I said, *the highest encomiums*, pursued Atticus, because he says in so many words, when he addresses himself to Cicero—*if others have bestowed all their time and attention to acquire a habit of expressing themselves with ease and correctness, how much is the name and dignity of the Roman people in-*

debted to you, who are the highest pattern, and indeed the first inventor of that rich fertility of language which distinguishes your performances.

Indeed, said Brutus, I think he has extolled your merit in a very friendly and a very magnificent style: for you are not only the *highest pattern*, and even the *first inventor* of all our *fertility* of language, which alone is praise enough to content any reasonable man, but you have added fresh honours to the name and dignity of the Roman people; for the very excellence in which we had hitherto been conquered by the vanquished Greeks, has now been either wrested from their hands, or equally shared, at least, between us and them. So that I prefer this honourable testimony of Cæsar, I will not say to the public thanksgiving, which was decreed for your *own* military services, but to the triumphs of many heroes. Very true, replied I, provided this honourable testimony was really the voice of Cæsar's judgment, and not of his friendship: for *he* certainly has added more to the dignity of the Roman people, whoever he may be (if indeed any such man has yet existed) who has not only exemplified and enlarged, but first produced this rich fertility of expression,

expression, than the doughty warrior who has stormed a few paltry castles of the Ligurians, which have furnished us, you know, with many repeated triumphs. In reality, if we can submit to hear the truth, it may be asserted (to say nothing of those godlike plans, which, supported by the wisdom of our generals, has frequently saved the sinking state both abroad and at home) that an orator is justly entitled to the preference to any commander in a petty war. But the general, you will say, is the more serviceable man to the public. Nobody denies it: and yet (for I am not afraid of provoking your censure, in a conversation which leaves each of us at liberty to say what he thinks) I had rather be the author of the single oration of Crassus, in defence of Curius, than he honoured with two Ligurian triumphs. You will, perhaps, reply, that the storming a castle of the Ligurians was a thing of more consequence to the state, than that the claim of Curius should be ably supported. This I own to be true. But it was also of more consequence to the Athenians, that their houses should be securely roofed, than to have their city graced with a most beautiful statue of Minerva: and yet, notwithstanding this, I would

would much rather have been a Phidias, than the most skilful joiner in Athens. In the present case, therefore, we are not to consider a man's usefulness, but the strength of his abilities; especially as the number of painters and statuarys, who have excelled in their profession, is very small; whereas, there can never be any want of joiners and mechanic labourers. But proceed, my Atticus, with Cæsar; and oblige us with the remainder of his character. We see then, said he, from what has just been mentioned, that a pure and correct style is the groundwork, and the very basis and foundation, upon which an orator must build his other accomplishments: though, it is true, that those who had hitherto possessed it, derived it more from early habit, than from any principles of art. It is needless to refer you to the instances of Lælius and Scipio; for a purity of language, as well as of manners, was the characteristic of the age they lived in. It could not, indeed, be applied to every one; for their two contemporaries, Cæcilius and Pacuvius, spoke very incorrectly: but yet people in general who had not resided out of the city, nor been corrupted by any domestic barbarisms, spoke the Roman language with purity. Time, however,

ever, as well at Rome as in Greece, soon altered matters for the worse: for this city, (as had formerly been the case at Athens) was resorted to by a crowd of adventurers from different parts, who spoke very corruptly; which shews the necessity of reforming our language, and reducing it to a certain standard, which shall not be liable to vary like the capricious laws of custom. Though we were then very young, we can easily remember T. Flaminius, who was joint-consul with Q. Metellus: he was supposed to speak his native language with correctness, but was a man of no literature. As to Catulus, he was far indeed from being destitute of learning, as you have already observed: but his reputed purity of diction was chiefly owing to the sweetness of his voice, and the delicacy of his accent. Cotta, who, by his broad pronunciation, lost all resemblance of the elegant tone of the Greeks, and affected a harsh and rustic utterance, quite opposite to that of Catulus, acquired the same reputation of correctness, by pursuing a wild and unfrequented path. But Sisenna, who had the ambition to think of reforming our phraseology, could not be lashed out of his whimsical and new-fangled turns of expression, by all the raillery of C. Rufius.

Rufius. What do you refer to? said Brutus; and who was the Caius Rufius you are speaking of? He was a noted prosecutor, replied he, some years ago. When this man had supported an indictment against one Christilius, Sisenna, who was counsel for the defendant, told him, that several parts of his accusation were in the highest degree contemptible. *My lords*, cried Rufius to the judges, *I shall be cruelly over-reached, unless you give me your assistance. His charge overpowers my comprehension; and I am afraid he has some unfair design upon me. What, in the name of heaven, can he intend by SPITATICAL?*¹ *I know the meaning of SPIT, or SPITTLE; but this horrid ATICAL, at the end of it, absolutely puzzles me.* The whole bench laughed very heartily at the singular oddity of the expression: my old friend, however, was still of opinion, that to speak correctly, was to speak differently from other people.

But Cæsar, who was guided by the principles of

¹ In the original *sputatilica*, worthy to be spit upon. It appears, from the connection, to have been a very unclassical word, whimsically derived by the author of it from *sputa*, spittle.

of art, has corrected the imperfections of a vicious custom, by adopting the rules and improvements of a good one, as he found them occasionally displayed in the course of polite conversation. Accordingly, to the purest elegance of expression, (which is equally necessary to every well-bred citizen, as to an orator) he has added all the various ornaments of elocution; so that he seems to exhibit the finest painting in the most advantageous point of view. As he has such extraordinary merit even in the tenor of his language, I must confess that there is no person I know of, to whom he should yield the preference. Besides, his manner of speaking, both as to his voice and gesture, is splendid and noble, without the least appearance of artifice or affectation: and there is a dignity in his very presence, which speaks a great and elevated mind. Indeed, said Brutus, his orations please me highly; for I have had the satisfaction to read several of them. He has likewise written some commentaries, or short memoirs, of his own transactions; and such, said I, as merit the highest approbation: for they are plain, correct, and graceful, and divested of all the ornaments of language, so as to appear (if I may be allowed the

the expression) in a kind of undress. But while he pretended only to furnish the loose materials, for such as might be inclined to compose a regular history, he may, perhaps, have gratified the vanity of a few literary *friseurs*: but he has certainly prevented all sensible men from attempting any improvement on his plan. For in history, nothing is more pleasing than a correct and elegant brevity of expression. With your leave, however, it is high time to return to those orators who have quitted the stage of life.

C. Sicinius, then, who was a grandson of the censor Q. Pompey, by one of his daughters, died after his advancement to the quæstorship. He was a speaker of some merit and reputation, which he derived from the system of Hermagoras; who, though he furnished but little assistance for acquiring an ornamental style, gave many useful precepts to expedite and improve the invention of an orator. For in this system we have a collection of fixed and determinate rules for public speaking; which are delivered indeed without any shew or parade, (and I might have added, in a trivial and homely form) but yet are so plain and methodical, that it is almost impossible to mistake the road.

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By keeping close to these, and always digesting his subject before he ventured to speak upon it, (to which we may add; that he had a tolerable fluency of expression) he so far succeeded, without any other assistance, as to be ranked among the pleaders of the day.—As to C. Visellius Varro, who was my cousin, and a contemporary of Sicinius, he was a man of great learning. He died while he was a member of the court of inquests, into which he had been admitted after the expiration of his ædileship. The public I confess, had not the same opinion of his abilities that I have : for he never passed as a man of sterling eloquence among the people. His style was excessively quick and rapid, and consequently indistinct; for, in fact, it was embarrassed and obscured by the celerity of its course : and yet, after all, you will scarcely find a man who had a better choice of words, or a richer vein of sentiment. He had besides a complete fund of polite literature, and a thorough knowledge of the principles of jurisprudence, which he learned from his father Aculeo. To proceed in our account of the dead, the next that presents himself is L. Torquatus, whom you will not so readily pronounce a proficient in the art of speaking
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(though he was by no means destitute of elocution), as what is called by the Greeks, *a political adept*. He had a plentiful stock of learning, not indeed of the common sort, but of a more abstruse and curious nature : he had likewise an admirable memory, and a very sensible and elegant turn of expression ; all which qualities derived an additional grace from the dignity of his deportment, and the integrity of his manners. I was also highly pleased with the style of his contemporary Triarius, which expressed to perfection the character of a worthy old gentleman, who had been thoroughly polished by the refinements of literature.—What a venerable severity was there in his look ! what forcible solemnity in his language ! and how thoughtful and deliberate every word he spoke ! At the mention of Torquatus and Triarius, for each of whom he had the most affectionate veneration, It fills my heart with anguish, said Brutus, (to omit a thousand other circumstances) when I reflect, as I cannot help doing, on your mentioning the names of these worthy men, that your long-respected authority was insufficient to procure an accommodation of our differences. The republic would not otherwise have been deprived of these, and many

other excellent citizens. Not a word more, said I, on this melancholy subject, which can only aggravate our sorrow : for as the remembrance of what is already past is painful enough, the prospect of what is yet to come is still more cutting. Let us, therefore, drop our unavailing complaints, and (agreeably to our plan) confine our attention to the forensic merits of our deceased friends.

Among those, then, who lost their lives in this unhappy war, was M. Bibulus, who, though not a professed orator, was a very accurate writer, and a solid and experienced advocate : and Appius Claudius, your father-in-law, and my colleague and intimate acquaintance, who was not only a hard student, and a man of learning, but a practised orator, a skilful augurist and civilian, and a thorough adept in the Roman history.—As to L. Domitius, he was totally unacquainted with any rules of art ; but he spoke his native language with purity, and had a great freedom of address. We had likewise the two Lentuli, men of consular dignity ; one of whom, (I mean Publius) the avenger of my wrongs, and the author of my restoration, derived all his powers and accomplishments from the assistance of art, and not from the bounty
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of nature : but he had such a great and noble disposition, that he claimed all the honours of the most illustrious citizens, and supported them with the utmost dignity of character.—The other (L. Lentulus) was an animated speaker, for it would be saying too much, perhaps, to call him an orator ; but, unhappily, he had an utter aversion to the trouble of thinking. His voice was sonorous ; and his language, though not absolutely harsh and forbidding, was warm and rigorous, and carried in it a kind of terror. In a judicial trial, you would probably have wished for a more agreeable and a keener advocate : but in a debate on matters of government, you would have thought his abilities sufficient.—Even Titus Postumius had such powers of utterance, as were not to be despised : but in political matters, he spoke with the same unbridled ardour he fought with : in short, he was much too warm ; though it must be owned he possessed an extensive knowledge of the laws and constitution of his country.

Upon my word, cried Atticus, if the persons you have mentioned were still living, I should be apt to imagine, that you was endeavouring to solicit their favour. For you introduce every body who had the courage to stand up and

speak his mind: so that I almost begin to wonder how M. Servilius has escaped your notice. I am, indeed, very sensible, replied I, that there have been many who never spoke in public, that were much better qualified for the task, than those orators I have taken the pains to enumerate^{*}; but I have, at least, answered one purpose by it, which is to shew you, that in this populous city, we have not had very many who had the resolution to speak at all; and that even among these, there have been few who were entitled to our applause. I cannot, therefore, neglect to take some notice of those worthy knights, and my intimate friends, very lately deceased, P. Comminius Spoletinus, against whom I pleaded in defence of C. Cornelius, and who was a methodical, a spirited, and a ready speaker; and T. Accius, of Pisaurum, to whom I replied in behalf of A. Cluentius, and who was an accurate, and a tolerably copious advocate: he was also well instructed in the precepts of Hermagoras, which, though of little service to embellish and enrich our elocution, furnish a variety of arguments, which,

^{*} This was probably intended as an indirect compliment to Atticus.

which, like the weapons of the light infantry, may be readily managed, and are adapted to every subject of debate. I must add, that I never knew a man of greater industry and application. As to C. Piso, my son-in-law, it is scarcely possible to mention any one who was blessed with a finer capacity. He was constantly employed either in public speaking, and private declamatory exercises, or, at least, in writing, and thinking: and, consequently, he made such a rapid progress, that he rather seemed to fly than to run. He had an elegant choice of expression, and the structure of his periods was perfectly neat and harmonious: he had an astonishing variety and strength of argument, and a lively and agreeable turn of sentiment: and his gesture was naturally so graceful, that it appeared to have been formed (which it really was not) by the nicest rules of art. I am rather fearful, indeed, that I should be thought to have been prompted by my affection for him to have given him a greater character than he deserved: but this is so far from being the case, that I might justly have ascribed to him many qualities of a different and more valuable nature: for in continence, social ardour, and every other kind of

virtue, there was scarcely any of his contemporaries who was worthy to be compared with him.

M. Cælius too must not pass unnoticed, notwithstanding the unhappy change, either of his fortune or disposition, which marked the latter part of his life. As long as he was directed by my influence, he behaved himself so well as a tribune of the people, that no man supported the interests of the senate, and of all the good and virtuous, in opposition to the factious and unruly madness of a set of abandoned citizens, with more firmness than he did: a part in which he was enabled to exert himself to great advantage, by the force and dignity of his language, and his lively humour, and genteel address. He spoke several harangues in a very sensible style, and three spirited invectives, which originated from our political disputes: and his defensive speeches, though not equal to the former, were yet tolerably good, and had a degree of merit which was far from being contemptible. After he had been advanced to the ædileship, by the hearty approbation of all the better sort of citizens, as he had lost my company (for I was then abroad in Cilicia) he likewise lost himself;

self; and entirely sunk his credit, by imitating the conduct of those very men, whom he had before so successfully opposed. But M. Calpurnius has a more particular claim to our notice for the singularity of his character; which cannot so properly be said to have entitled him to a place among our other orators, as to distinguish him from the whole fraternity: for in him we beheld the most uncommon, and the most delicate sentiments, arrayed in the softest and finest language imaginable. Nothing could be so easy as the turn and compass of his periods; nothing so ductile; nothing more pliable and obsequious to his will, so that he had a greater command of it than any orator whatever. In short, the flow of his language was so pure and limpid, that nothing could be clearer; and so free, that it was never clogged or obstructed. Every word was exactly in the place where it should be, and disposed (as Lucilius expresses it) with as much nicety as in a curious piece of Mosaic work. We may add, that he had not a single expression which was either harsh, unnatural, abject, or far-fetched; and yet he was so far from confining himself to the plain and ordinary mode of speaking, that he abounded greatly

greatly in the metaphor,—but such metaphors as did not appear to usurp a post that belonged to another, but only to occupy their own. These delicacies were displayed not in a loose and effeminate style; but in such a one as was strictly *numerous*, without *either* appearing to be so, or running on with a dull uniformity of sound. He was likewise master of the various ornaments of language and sentiment which the Greeks call *figures*, whereby he enlivened and embellished his style as with so many forensic decorations. We may add that he readily discovered, upon all occasions, what was the real point of debate, and where the stress of the argument lay; and that his method of ranging his ideas was extremely artful, his action genteel, and his whole manner very engaging and very sensible. In short, if to speak agreeably is the chief merit of an orator, you will find no one who was better qualified than *Calidius*.

— But as we have observed a little before, that it is the business of an orator to instruct, to please, and *to move the passions*; he was, indeed, perfectly master of the two first; for no one could better elucidate his subject, or charm the attention of his audience. But as to the
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third qualification,—the moving and alarming the passions,—which is of much greater efficacy than the two former, he was wholly destitute of it. He had no force,—no exertion;—either by his own choice, and from an opinion that those who had a loftier turn of expression, and a more warm and spirited action, were little better than madmen; or because it was contrary to his natural temper, and habitual practice; or, lastly, because it was beyond the strength of his abilities. If, indeed, it is a useless quality, his want of it was a real excellence: but if otherwise, it was certainly a defect. I particularly remember, that when he prosecuted *Q. Gallius* for an attempt to poison him, and pretended that he had the plainest proofs of it, and could produce many letters, witnesses, informations, and other evidences to put the truth of his charge beyond a doubt, interspersing many sensible and ingenious remarks on the nature of the crime;—I remember, I say, that when it came to my turn to reply to him, after urging every argument which the case itself suggested, I insisted upon it as a material circumstance in favour of my client, that the prosecutor, while he charged him with a design against his life,
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and assured us that he had the most indubitable proofs of it then in his hands, related his story with as much ease, and as much calmness, and indifference, as if nothing had happened. Would it have been possible, said I, (addressing myself to Calidius) that you should speak with this air of unconcern, unless the charge was purely an invention of your own? And, above all, that you, whose eloquence has often vindicated the wrongs of other people with so much spirit, should speak so coolly of a crime which threatened your life? Where was that expression of resentment which is so natural to the injured? Where that ardour, that eagerness, which extorts the most pathetic language even from men of the dullest capacities? There was no visible disorder in your mind, no emotion in your looks and gesture, no smiting of the thigh or the forehead, nor even a single stamp of the foot. You was, therefore, so far from interesting our passions in your favour, that we could scarcely keep our eyes open, while you was relating the dangers you had so narrowly escaped. Thus we employed the natural defect, or, if you please, the sensible calmness of an excellent orator, as an argument to invalidate his charge. But is
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it possible to doubt, cried Brutus, whether this was a sensible quality, or a defect? For as the greatest merit of an orator is to be able to inflame the passions, and give them such a bias as shall best answer his purpose; he who is destitute of this must certainly be deficient in the most capital part of his profession.

I am of the same opinion, said I; but let us now proceed to him (Hortensius) who is the only remaining orator worth noticing; after which, as you seem to insist upon it, I shall say something of myself. I must first, however, do justice to the memory of two promising youths, who, if they had lived to a riper age, would have acquired the highest reputation for their eloquence. You mean, I suppose, said Brutus, C. Curio, and C. Licinius Calvus. The very same, replied I. One of them, besides his plausible manner, had such an easy and voluble flow of expression, and such an inexhaustible variety, and sometimes accuracy of sentiment, that he was one of the most ready and ornamental speakers of his time. Though he had received but little instruction from the professed masters of the art, nature had furnished him with an admirable capacity for the practice of it. I never, indeed, discovered in
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him any great degree of application; but he was certainly very ambitious to distinguish himself; and if he had continued to listen to my advice, as he had begun to do, he would have preferred the acquisition of real honour to that of untimely grandeur. What do you mean, said Brutus? Or in what manner are these two objects to be distinguished? I distinguish them thus, replied I: as honour is the reward of virtue, conferred upon a man by the choice and affection of his fellow-citizens, he who obtains it by their free votes and suffrages is to be considered, in my opinion, as an honourable member of the community. But he who acquires his power and authority by taking advantage of every unhappy incident, and without the consent of his fellow-citizens, as Curio aimed to do, acquires only the name of honour, without the substance. Whereas, if he had hearkened to me, he would have risen to the highest dignity, in an honourable manner, and with the hearty approbation of all men, by a gradual advancement to public offices, as his father and many other eminent citizens had done before. I often gave the same advice to P. Crassus, the son of Marcus, who courted my friendship in the early part of his life; and recommended it to him very warmly,

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to consider *that* as the truest path to honour which had been already marked out to him by the example of his ancestors. For he had been extremely well educated, and was perfectly versed in every branch of polite literature: he had likewise a penetrating genius, and an elegant variety of expression; and appeared grave and sententious without arrogance, and modest and diffident without dejection. But like many other young men he was carried away by the tide of ambition; and after serving a short time with reputation as a volunteer, nothing could satisfy him but to try his fortune as a general, an employment which was confined by the wisdom of our ancestors to men who had arrived at a certain age, and who, even then, were obliged to submit their pretensions to the uncertain issue of a public decision. Thus, by exposing himself to a fatal catastrophe, while he was endeavouring to rival the fame of Cyrus and Alexander, who lived to finish their desperate career, he lost all resemblance of L. Crassus, and his other worthy progenitors. But let us return to Calvus, whom we have just mentioned, an orator who had received more literary improvements than Curio, and had a more accurate

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and delicate manner of speaking, which he conducted with great taste and elegance; but (by being too minute and nice a critic upon himself,) while he was labouring to correct and refine his language, he suffered all the force and spirit of it to evaporate. In short, it was so exquisitely polished, as to charm the eye of every skilful observer; but it was little noticed by the common people in a crowded forum, which is the proper theatre of eloquence. His aim, said Brutus, was to be admired as an Attic orator: and to this we must attribute that accurate exility of style, which he constantly affected. This; indeed, was his professed character, replied I: but he was deceived himself, and led others into the same mistake. It is true, whoever supposes that to speak in the Attic taste, is to avoid every awkward, every harsh, every vicious expression, has, in this sense, an undoubted right to refuse his approbation to every thing which is not strictly Attic. For he must naturally detest whatever is insipid, disgusting, or incorrect; while he considers a correctness and propriety of language as the religion, and good-manners of an orator: and every one who pretends to speak in public should adopt the same opinion.

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But if he bestows the name of Atticism on a meagre, a dry, and a niggardly turn of expression, provided it is neat, correct and polished, I cannot say, indeed, that he bestows it improperly; as the Attic orators, however, had many qualities of a more important nature, I would advise him to be careful that he does not overlook their different kinds and degrees of merit, and their great extent and variety of character. The Attic speakers, he will tell me, are the models upon which he wishes to form his eloquence. But which of them does he mean to fix upon? for they are not all of the same cast: Who, for instance, could be more unlike each other than Demosthenes and Lysias? or than Demosthenes and Hyperides? Or who more different from either of them, than Æschines? Which of them, then, do you propose to imitate? If only one, this will be a tacit implication, that none of the rest were true masters of Atticism: if all, how can you possibly succeed, when their characters are so opposite? Let me further ask you, whether Demetrius Phalereus spoke in the Attic style? In my opinion, his orations have the very taste of Athens. But he is certainly more florid than either Hyperides or Lysias; partly from the

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natural turn of his genius, and partly by choice.

There were likewise two others, at the time we are speaking of, whose characters were equally dissimilar? and yet both of them were truly *Attic*. The first (Charisius) was the author of a number of speeches, which he composed for his friends, professedly in imitation of Lysias: and the other (Demochares, the nephew of Demosthenes) wrote several orations, and a regular history of what was transacted in Athens under his own observation; not so much, indeed, in the style of an historian, as of an orator. Hegesias took the former for his model, and was so vain of his own taste for Atticism, that he considered his predecessors, who were really masters of it, as mere rustics in comparison of himself. But what can be more insipid, more frivolous, or more puerile, than that very concinnity of expression which he actually acquired? *But still we wish to resemble the Attic speakers.* Do so by all means. But were not those, then, true Attic speakers, we have just been mentioning? *Nobody denies it; and these are the men we imitate.* But how? when they are so very different, not only from each other, but from all the rest of their

their contemporaries? *True; but Thucydides is our leading pattern.* This too I can allow if you design to compose histories, instead of pleading causes. For Thucydides was both an exact, and a stately historian: but he never intended to write models for conducting a judicial process. I will even go so far as to add, that I have often commended the speeches which he has inserted into his history in great numbers; though I must frankly own, that I neither *could* imitate them, if I *would*, nor indeed *would*, if I *could*; like a man who would neither choose his wine so new as to have been tunned off in the preceding vintage, nor so excessively old as to date its age from the consulship of Opimius or Anicius. *The latter, you'll say, bears the highest price.* Very probable; but when it has too much age, it has lost that delicious flavour which pleases the palate, and, in my opinion, is scarcely tolerable. *Would you choose, then, when you have a mind to regale yourself, to apply to a fresh, unripened cask?* By no means; but still there is a certain age, when good wine arrives at its utmost perfection. In the same manner, I would recommend neither a raw, unmellowed style, which, (if I

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may so express myself) has been newly drawn off from the vat; nor the rough, and antiquated language of the grave and manly Thucydides. For even *he*, if he had lived a few years later, would have acquired a much softer and mellow turn of expression.

Let us, then, imitate Demosthenes. Good Gods! to what else do I direct all my endeavours, and my wishes! But it is, perhaps, my misfortune not to succeed. These *Atticisers*, however, acquire with ease the paltry character they aim at; not once recollecting that it is not only recorded in history, but must have been the natural consequence of his superior fame, that when Demosthenes was to speak in public, all Greece flocked in crowds to hear him. But when our *Attic* orators venture to speak, they are presently deserted not only by the little throng around them who have no interest in the dispute, (which alone is a mortifying proof of their insignificance) but even by their associates and fellow-advocates. If to speak, therefore, in a dry and lifeless manner, is the true criterion of Atticism, they are heartily welcome to enjoy the credit of it: but if they wish to put their abilities to the trial, let them attend the Comitia, or a judicial pro-

cess of real importance. The open forum demands a fuller, and more elevated tone: and *he* is the orator for me, who is so universally admired that when he is to plead an interesting cause, all the benches are filled beforehand, the tribunal crowded, the clerks and notaries busy in adjusting their seats, the populace thronging about the rostra, and the judge brisk, and vigilant; *he*, who has such a commanding air, that when he rises up to speak the whole audience is hushed into a profound silence, which is soon interrupted by their repeated plaudits, and acclamations, or by those successive bursts of laughter, or violent transports of passion, which he knows how to excite at his pleasure; so that even a distant observer, though unacquainted with the subject he is speaking upon, can easily discover that his hearers are pleased with him, and that a *Roscius* is performing his part on the stage. Whoever has the happiness to be thus followed and applauded, is, beyond dispute, an *Attic* speaker: for such was Pericles, such was Hyperides, and Æschines, and such, in the most eminent degree, was the great Demosthenes! If, indeed, these *connoisseurs*, who have so much dislike to every thing bold and ornamental, only mean to say that an ac-

curate, a judicious, and a neat, and compact, but unembellished style, is really an *Attic* one, they are not mistaken. For in an art of such wonderful extent and variety as that of speaking, even this subtile and confined character may claim a place: so that the conclusion will be, that it is very possible to speak in the *Attic* taste without deserving the name of an orator; but that all, in general, who are truly eloquent are likewise *Attic* speakers.

It is time, however, to return to Hortensius. Indeed, I think so, cried Brutus: though I must acknowledge that this long digression of yours has entertained me very agreeably. But I made some remarks, said Atticus, which I was several times inclined to mention; only I was loath to interrupt you. As your discourse, however, seems to be drawing towards an end, I think I may venture to state them. By all means, replied I. I readily grant, then, said he, that there is something very humorous and elegant in that continued *Irony*, which Socrates employs to so much advantage in the dialogues of Plato, Xenophon, and Æschines. For when a dispute commences on the nature of wisdom, he professes, with a great deal of humour and ingenuity, to have no pretensions
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to it himself; while, with a kind of concealed raillery, he ascribes the highest degree of it to those who had the arrogance to lay an open claim to it. Thus, in Plato, he extols Protagoras, Hippias, Prodicus, Gorgias and several others, to the skies: but represents himself as quite ignorant. This in *him* was peculiarly becoming; nor can I agree with Epicurus, who thinks it censurable. But in a professed history, (for such, in fact, is the account you have been giving us of the Roman orators) I shall leave you to judge, whether an application of the *Irony* is not equally reprehensible, as it would be in giving a judicial evidence. Pray, what are you driving at? said I; for I cannot comprehend you. I mean, replied he, in the first place, that the commendations which you have bestowed upon some of our orators, have a tendency to mislead the opinion of those who are unacquainted with their true characters. There were likewise several parts of your account, at which I could scarcely forbear laughing: as, for instance, when you compared old Cato to Lysias. He, was indeed, a great, and a very extraordinary man. Nobody, I believe, will say to the contrary. But shall we call him an orator? Shall we pronounce him the rival of

Lysias, who was the most finished character of the kind? If we mean to jest, this comparison of yours would form a pretty *irony*: but if we are talking in real earnest, we should pay the same scrupulous regard to truth, as if we were giving evidence upon oath. As a citizen, a senator, a general, and, in short, a man who was distinguished by his prudence, his activity, and every other virtue, your favourite Cato has my [highest approbation]. I can likewise applaud his speeches, considering the time he lived in. They exhibit the outlines of a great genius; but such, however, as are evidently rude and imperfect. In the same manner, when you represented his *Antiquities* as replete with all the graces of oratory, and compared Cato with Philistus and Thucydides, did you really imagine, that you could persuade me and Brutus to believe you? or would you seriously degrade those, whom none of the Greeks themselves have been able to equal, into a comparison with a stiff country gentleman, who scarcely suspected that there was any such thing in being as a copious and ornamental style?

You have likewise said much in commendation of Galba;—if as the best speaker of his age, I can so far agree with you, for such was
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the character he bore:—but if you meant to recommend him as an *orator*, produce his orations (for they are still extant) and then tell me honestly, whether you would wish your friend Brutus here to speak as *he* did? Lepidus too was the author of several speeches, which have received your approbation; in which I can partly join with you, if you consider them only as specimens of our ancient eloquence. The same might be said of Africanus and Lælius, than whose language (you tell us) nothing in the world can be sweeter: nay, you have mentioned it with a kind of veneration, and endeavoured to dazzle our judgment by the great character they bore, and the uncommon elegance of their manners. Divest it of these adventitious graces, and this sweet language of theirs will appear so homely, as to be scarcely worth noticing. Carbo too was mentioned as one of our capital orators; and for this only reason,—that in speaking, as in all other professions, whatever is the best of its kind, for the time being, how deficient soever in reality, is always admired and applauded. What I have said of Carbo, is equally true of the Gracchi: though, in some particulars, the character you have given them was no more than
they

they deserved. But to say nothing of the rest of your orators, let us proceed to Antonius and Crassus, your two paragons of eloquence, whom I have heard myself, and who were certainly very able speakers. To the extraordinary commendation you have bestowed upon them, I can readily give my assent ; but not, however, in such an unlimited manner as to persuade myself that you have received as much improvement from the speech in support of the Servilian law, as Lysippus said he had done by studying the famous ^m statue of Polycletus. What you have said on *this* occasion I consider as an absolute *irony* : but I shall not inform you why I think so, lest you should imagine I design to flatter you. I shall therefore pass over the many fine encomiums you have bestowed upon *these* ; and what you have said of Cotta and Sulpicius, and but very lately of your pupil Cælius. I acknowledge, however, that we may call them orators : but as to the nature and extent of their merit, let your own judgment decide. It is scarcely worth observing, that you have had the additional good-nature to crowd

^m *Doryphorus*. A spear-man.

crowd so many daubers into your list, that there are some, I believe, who will be ready to wish they had died long ago, that you might have had an opportunity to insert *their* names among the rest. You have opened a wide field of enquiry, said I, and started a subject which deserves a separate discussion ; but we must defer it to a more convenient time. For, to settle it, a great variety of authors must be examined, and especially *Cato* : which could not fail to convince you, that nothing was wanting to complete his pieces, but those rich and glowing colours which had not then been invented. As to the above oration of Crassus, he himself, perhaps, could have written better, if he had been willing to take the trouble ; but nobody else, I believe, could have mended it. You have no reason, therefore, to think I spoke *ironically*, when I mentioned it as the guide and *tutoress* of my eloquence : for though you seem to have a higher opinion of my capacity, in its present state, you must remember that, in our youth, we could find nothing better to imitate among the Romans. And as to my admitting so *many* into my list of orators, I only did it (as I have already observed) to shew how few have succeeded in a profession, in which
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all were desirous to excel. I therefore insist upon it that you do not consider *me* in the present case as an *ironist*; though we are informed by C. Fannius, in his history, that *Africanus* was a very excellent one. As you please about *that*, cried Atticus: though, by the bye, I did not imagine it would have been any disgrace to you, to be what Africanus and Socrates have been before you. We may settle *this* another time, interrupted Brutus: but will you be so obliging, said he, (addressing himself to *me*) as to give us a critical analysis of some of the old speeches you have mentioned? Very willingly, replied I; but it must be at Cuma, or Tusculum, when opportunity offers: for we are near neighbours, you know, in both places. At present let us return to *Hortensius*, from whom we have digressed a second time.

Hortensius, then, who began to speak in public when he was very young, was soon employed even in causes of the greatest moment: and though he first appeared in the time of Cotta and Sulpicius, (who were only ten years older) and when Crassus and Antonius, and afterwards Philip and Julius, were in the height of their reputation, he was thought worthy to be compared with either of them in point of eloquence.

quence. He had such an excellent memory as I never knew in any person; so that what he had composed in private, he was able to repeat, without notes, in the very same words he had made use of at first. He employed this natural advantage with so much readiness, that he not only recollected whatever he had written or premeditated himself, but remembered every thing that had been said by his opponents, without the help of a prompter. He was likewise inflamed with such a passionate fondness for the profession, that I never saw any one, who took more pains to improve himself; for he would not suffer a day to elapse, without either speaking in the forum, or composing something at home; and very often he did both in the same day. He had, besides, a turn of expression which was very far from being low and unelevated; and possessed two other accomplishments, in which no one could equal him,—an uncommon clearness and accuracy in stating the points he was to discuss; and a neat and easy manner of collecting the substance of what had been said by his antagonist, and by himself. He had likewise an elegant choice of words, an agreeable flow in his periods, and a copious elocution, for which he was partly indebted

debted to a fine natural capacity, and partly acquired by the most laborious rhetorical exercises. In short, he had a most retentive view of his subject, and always divided and distributed it into distinct parts with the greatest exactness; and he very seldom overlooked any thing which the case could suggest, that was proper either to support his *own* allegations, or to refute those of his opponent. Lastly, he had a sweet and sonorous voice; but his gesture had rather more art in it, and was managed with more precision than is requisite to an orator.

While *he* was in the height of his glory, Crassus died, Cotta was banished, our public trials were intermitted by the Marsic war, and I myself made my first appearance in the forum. Hortensius joined the army, and served the first campaign as a volunteer, and the second as a military tribune: Sulpicius was made a lieutenant general; and Antonius was absent on a similar account. The only trial we had, was that upon the Varian law; the rest, as I have just observed, having been intermitted by the war. We had scarcely any body left at the bar but L. Memmius, and Q. Pompeius, who spoke mostly on their own affairs; and, though far from being orators of the first distinction, were

were yet tolerable ones, (if we may credit Philippus, who was himself a man of some eloquence) and in supporting an evidence, displayed all the poignancy of a prosecutor, with a moderate freedom of elocution. The rest, who were esteemed our capital speakers, were then in the magistracy, and I had the benefit of hearing their harangues almost every day. C. Curio was chosen a tribune of the people; though he left off speaking after being once deserted by his whole audience. To him I may add Q. Metellus Celer, who, though certainly no orator, was far from being destitute of utterance: but Q. Varius, C. Carbo, and Cn. Pomponius, were men of real elocution, and might almost be said to have lived upon the rostra. C. Julius too, who was then a Curule Ædile, was daily employed in making speeches to the people, which were composed with great neatness and accuracy. But while I attended the forum with this eager curiosity, my first disappointment was the banishment of Cotta: after which I continued to hear the rest with the same assiduity as before; and though I daily spent the remainder of my time in reading, writing, and private declamation, I cannot say that I much relished my confinement to these

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 these preparatory exercises. The next year Q. Varius was condemned, and banished, by his own law : and I, that I might acquire a competent knowledge of the principles of jurisprudence, then attached myself to Q. Scævola, the son of Publius, who, though he did not choose to undertake the charge of a pupil, yet by freely giving his advice to those who consulted him, he answered every purpose of instruction to such as took the trouble to apply to him. In the succeeding year, in which Sylla and Pompey were consuls, as Sulpicius, who was elected a tribune of the people, had occasion to speak in public almost every day, I had an opportunity to acquaint myself thoroughly with his manner of speaking. At this time Philo, a philosopher of the first name in the academy, with many of the principal Athenians, having deserted their native home, and fled to Rome, from the fury of Mithridates, I immediately became his scholar, and was exceedingly taken with his philosophy ; and, besides the pleasure I received from the great variety and sublimity of his matter, I was still more inclined to confine my attention to that study ; because there was reason to apprehend that our laws and judicial proceedings would be

be wholly overturned by the continuance of the public disorders. In the same year Sulpicius lost his life ; and Q. Catulus, M. Antonius, and C. Julius, three orators, who were partly contemporary with each other, were most inhumanly put to death. Then also I attended the lectures of Molo the Rhodian, who was newly come to Rome, and was both an excellent pleader, and an able teacher of the art.

I have mentioned these particulars, which, perhaps, may appear foreign to our purpose, that *you*, my Brutus, (for Atticus is already acquainted with them) may be able to mark my progress, and observe how closely I trod upon the heels of Hortensius. The three following years the city was free from the tumult of arms ; but either by the death, the voluntary retirement, or the flight of our ablest orators (for even M. Crassus, and the two Lentuli, who were then in the bloom of youth, had all left us) Hortensius, of course, was the first speaker in the forum. Antistius too was daily rising into reputation,—Piso pleaded pretty often,—Pomponius not so frequently,—Carbo, very seldom,—and Philippus only once or twice. In the mean while I pursued my studies of every

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kind, day and night, with unremitting application. I lodged and boarded at my own house (where he lately died) Diodotus the Stoic; whom I employed as my preceptor in various other parts of learning, but particularly in logic, which may be considered as a close and contracted species of eloquence; and without which, you yourself have declared it impossible to acquire that full and perfect eloquence, which they suppose to be an open and dilated kind of logic. Yet with all my attention to Diodotus, and the various arts he was master of, I never suffered even a single day to escape me, without some exercise of the oratorial kind. I constantly declaimed in private with M. Piso, Q. Pompeius, or some other of my acquaintance; pretty often in Latin, but much oftener in Greek; because the Greek furnishes a greater variety of ornaments, and an opportunity of imitating and introducing them into the Latin; and because the Greek masters, who were far the best, could not correct and improve us, unless we declaimed in that language. This time was distinguished by a violent struggle to restore the liberty of the republic: the barbarous slaughter of the three orators, Scævola, Carbo, and Antistius;—the
return

return of Cotta, Curio, Crassus, Pompey, and the Lentuli; the re-establishment of the laws and courts of judicature; and the entire restoration of the commonwealth; but we lost Pomponius, Censorinus, and Murena, from the roll of orators. I now began, for the *first* time, to undertake the management of causes, both private and public; not, as most did, with a view to learn my profession, but to make a trial of the abilities which I had taken so much pains to acquire. I had then a second opportunity of attending the instructions of Molo; who came to Rome, while Sylla was dictator, to solicit the payment of what was due to his countrymen, for their services in the Mithridatic war. My defence of Sext. Roscius, which was the first cause I pleaded, met with such a favourable reception, that, from that moment, I was looked upon as an advocate of the first class, and equal to the greatest and most important causes: and after this I pleaded many others, which I precomposed with all the care and accuracy I was master of.

But as you seem desirous not so much to be acquainted with any incidental marks of my character, or the first sallies of my youth, as
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to know me thoroughly, I shall mention some particulars, which otherwise might have seemed unnecessary. At this time my body was exceedingly weak and emaciated; my neck long, and slender; a shape and habit, which I thought to be liable to great risk of life, if engaged in any violent fatigue, or labour of the lungs. And it gave the greater alarm to those who had a regard for me, that I used to speak without any remission or variation, with the utmost stretch of my voice, and a total agitation of my body. When my friends, therefore, and physicians, advised me to meddle no more with forensic causes, I resolved to run any hazard, rather than quit the hopes of glory, which I had proposed to myself from pleading: but when I considered, that by managing my voice and changing my way of speaking, I might both avoid all future danger of that kind, and speak with greater ease, I took a resolution of travelling into Asia, merely for an opportunity to correct my manner of speaking. So that after I had been two years at the bar, and acquired some reputation in the forum, I left Rome. When I came to Athens, I spent six months with Antiochus, the principal and most judicious philosopher of the old academy;

academy; and under this able master, I renewed those philosophical studies which I had laboriously cultivated and improved from my earliest youth. At the same time, however, I continued my *rhetorical exercises* under Demetrius the Syrian, an experienced and reputable master of the art of speaking. After leaving Athens, I traversed every part of Asia, where I was voluntarily attended by the principal orators of the country, with whom I renewed my rhetorical exercises. The chief of them was Menippus of Stratonica, the most eloquent of all the Asiatics: and if to be neither tedious nor impertinent is the characteristic of an Attic orator, he may be justly ranked in that class. Dionysius also of Magnesia, Æschilus of Cnidos, and Xenocles of Adramyttus, who were esteemed the first rhetoricians of Asia, were continually with me. Not contented with these, I went to Rhodes, and applied myself again to Molo, whom I had heard before at Rome; and who was both an experienced pleader, and a fine writer, and particularly judicious in remarking the faults of his scholars, as well as in his method of teaching and improving them. His principal trouble with me, was to restrain the luxuriance of a juvenile imagination,

gination, always ready to overflow its banks, within its due and proper channel. Thus, —after an excursion of two years, I returned to Italy, not only much improved, but almost —changed into a new man. The vehemence of my voice and action was considerably abated; the excessive ardour of my language was corrected; my lungs were strengthened; and my whole constitution confirmed and settled.

Two orators then reigned in the forum; (I mean Cotta and Hortensius) whose glory fired my emulation. Cotta's way of speaking was calm and easy, and distinguished by the flowing elegance and propriety of his language. The other was splendid, warm, and animated; not such as you my Brutus, have seen him, when he had shed the blossom of his eloquence, but far more lively and pathetic both in his style and action. As Hortensius, therefore, was nearer to me in age, and his manner more agreeable to the natural ardour of my temper, I considered him as the proper object of my competition. For I observed that when they were both engaged in the same cause (as for instance, when they defended M. Canuleius, and Cn. Dolabella, a man of consular dignity) though Cotta was generally employed to open
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the defence, the most important parts of it were left to the management of Hortensius. For a crowded audience, and a clamorous forum, require an orator who is lively, animated, full of action, and able to exert his voice to the highest pitch. The first year, therefore, after my return from Asia, I undertook several capital causes; and in the interim I put up as a candidate for the quæstorship, Cotta for the consulate, and Hortensius for the edileship. After I was chosen quæstor, I passed a year in Sicily, the province assigned to me by lot: Cotta went as consul into Gaul; and Hortensius, whose new office required his presence at Rome, was left of course the undisputed sovereign of the forum. In the succeeding year, when I returned from Sicily, my oratorical talents, such as they were, displayed themselves in their full perfection and maturity.

I have been saying too much, perhaps, concerning myself: but my design in it was not to make a parade of my eloquence and ability, which I have no temptation to do, but only to specify the pains and labour which I have taken to improve it. After spending the five succeeding years in pleading a variety of causes, and with the ablest advocates of the time, I

was declared an edile and undertook the patronage of the Sicilians against Hortensius, who was then one of the consuls elect. But as the subject of our conversation not only requires an historical detail of orators, but such preceptive remarks as may be necessary to elucidate their characters; it will not be improper to make some observations of this kind upon that of Hortensius. After his appointment to the consulship (very probably, because he saw none of consular dignity who were able to rival him, and despised the competition of others of inferior rank) he began to remit that intense application which he had hitherto persevered in from his childhood; and having settled himself in very affluent circumstances, he chose to live for the future what he thought an *easy* life, but which, in truth, was rather an indolent one. In the three succeeding years, the beauty of his colouring was so much impaired, as to be very perceptible to a skilful connoisseur, though not to a common observer. After that, he grew every day more unlike himself than before, not only in other parts of eloquence, but by a gradual decay of the former celerity and elegant texture of his language. I, at the same time, spared no pains to improve
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and enlarge my talents, such as they were, by every exercise that was proper for the purpose; but particularly by that of writing. Not to mention several other advantages I derived from it, I shall only observe, that about this time, and but a very few years after my ædileship, I was declared the first prætor, by the unanimous suffrages of my fellow-citizens. For, by my diligence and assiduity as a pleader, and my accurate way of speaking, which was rather superior to the ordinary style of the bar, the novelty of my eloquence had engaged the attention, and secured the good wishes of the public. But I will say nothing of myself: I will confine my discourse to our other speakers, among whom there is not one who has gained more than a common acquaintance with those parts of literature, which feed the springs of eloquence: not one who has been thoroughly nurtured at the breast of philosophy, which is the mother of every excellence either in deed or speech: not one who has acquired an accurate knowledge of the civil law, which is so necessary for the management even of private causes, and to direct the judgment of an orator: not one who is a complete master of the Roman history, which would enable us, on many occasions,

sions, to appeal to the venerable evidence of the dead: not one who can entangle his opponent in such a neat and humorous manner, as to relax the severity of the judges into a smile or an open laugh: not one who knows how to dilate and expand his subject, by reducing it from the limited considerations of time, and person, to some general and indefinite topic; not one who knows how to enliven it by an agreeable digression: not one who can rouse the indignation of the judge, or extort from him the tear of compassion; or who can influence and bend his soul (which is confessedly the capital perfection of an orator) in such a manner as shall best suit his purpose.

When Hortensius, therefore, the once eloquent and admired Hortensius, had almost vanished from the forum, my appointment to the consulship, which happened about six years after his own promotion to that office, revived his dying emulation; for he was unwilling that, after I had equalled him in rank and dignity, I should become his superior in any other respect. But in the twelve succeeding years, by a mutual deference to each other's abilities, we united our efforts at the bar in the most amicable manner: and my consulship, which
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at first had given a short alarm to his jealousy, afterwards cemented our friendship, by the generous candor with which he applauded my conduct. But our emulous efforts were exerted in the most conspicuous manner, just before the commencement of that unhappy period, when eloquence herself was confounded and terrified by the din of arms into a sudden and a total silence: for after Pompey had proposed and carried a law, which allowed even the party accused but three hours to make his defence, I appeared, (though comparatively as a mere *noviciate* by this new regulation) in a number of causes which, in fact, were become perfectly the same, or very nearly so; most of which, my Brutus, you was present to hear, as having been my partner and fellow-advocate in many of them, though you pleaded several by yourself; and Hortensius, though he died a short time afterwards, bore his share in these limited efforts. He began to plead about ten years before the time of your birth; and in his sixty-fourth year, but a very few days before his death, he was engaged with you in the defence of Appius your father-in-law. As to our respective talents, the orations we have
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published will enable posterity to form a proper judgment of them.

But if we mean to enquire, why Hortensius was more admired for his eloquence in the younger part of his life, than in his latter years, we shall find it owing to the following causes. The first was, that an *Asiatic* style is more allowable in a young man than in an old one. Of this there are two different kinds. The former is sententious and sprightly, and abounds in those turns of sentiment which are not so much distinguished by their weight and solidity as by their neatness and elegance; of this cast was Timæus the historian, and the two orators so much talked of in our younger days, Hierocles the Alabandean, and his brother Meneclæ, but particularly the latter; both whose orations may be reckoned master-pieces of the kind. The other sort is not so remarkable for the plenitude and richness of its sentiments, as for its rapid volubility of expression, which at present is the ruling taste in Asia; but, besides its uncommon fluency, it is recommended by a choice of words which are peculiarly delicate and ornamental: of this kind were Æschylus the Gnidian, and my contemporary Æschines the Milesian; for they had an admirable command

mand of language, with very little elegance of sentiment. These showy kinds of eloquence are agreeable enough in young people; but they are entirely destitute of that gravity and composure which befits a riper age. As Hortensius therefore excelled in both, he was heard with applause in the earlier part of his life. For he had all that fertility and graceful variety of sentiment which distinguished the character of Meneclæ: but, as in Meneclæ, so in him, there were many turns of sentiment which were more delicate and entertaining than really useful, or indeed sometimes convenient. His language also was brilliant and rapid, and yet perfectly neat and accurate; but by no means agreeable to men of riper years. I have often seen it received by Philippus with the utmost derision, and upon some occasions, with a contemptuous indignation: but the younger part of the audience admired it, and the populace were highly pleased with it. In his youth, therefore, he met the warmest approbation of the public, and maintained his post with ease as the first orator in the forum. For the style he chose to speak in, though it has little weight, or authority, appeared very suitable to his age: and as it discovered in him the most visible marks

marks of genius and application, and was recommended by the numerous cadence of his periods, he was heard with universal applause. But when the honours he afterwards rose to, and the dignity of his years, required something more serious and composed, he still continued to appear in the same character, though it no longer became him: and as he had, for some considerable time, intermitted those exercises, and relaxed that laborious attention which had once distinguished him, though his former neatness of expression, and luxuriancy of sentiment still remained, they were stripped of those brilliant ornaments they had been used to wear. For this reason, perhaps, my Brutus, he appeared less pleasing to you than he would have done, if you had been old enough to hear him, when he was fired with emulation, and flourished in the full bloom of his eloquence.

I am perfectly sensible, said Brutus, of the justice of your remarks; and yet I have always looked upon Hortensius as a great orator, but especially when he pleaded for Messala, in the time of your absence. I have often heard of it, replied I, and his oration, which was afterwards published, they say, in the very same words in which he delivered it, is no
way

way inferior to the character you give it. Upon the whole, then, his reputation flourished from the time of Crassus and Scævola (reckoning from the consulship of the former) to the consulship of Paullus and Marcellus: and I held out in the same career of glory from the dictatorship of Sylla, to the period I have last mentioned. Thus the eloquence of Hortensius was extinguished by his own death, and mine by that of the commonwealth. Ominate more favourably, I beg of you, cried Brutus. As favourably as you please, said I, and that not so much upon my own account, as yours. But *his* death was truly fortunate, who did not live to behold the miseries, which he had long foreseen. For we often lamented, between ourselves, the misfortunes which hung over the state, when we discovered the seeds of a civil war in the insatiable ambition of a few private citizens, and saw every hope of an accommodation excluded by the rashness and precipitancy of our public counsels. But the felicity which always marked his life, seems to have exempted him, by a seasonable death, from the calamities that followed. But, as after the decease of Hortensius, we seem to have been left, my Brutus, as the sole guardians

dians of an *orphan* eloquence, let us cherish her, within our own walls at least, with a generous fidelity : let us discourage the addresses of her worthless, and impertinent suitors ; let us preserve her pure and unblemished in all her virgin charms, and secure her, to the utmost of our ability, from the lawless violence of every armed ruffian. I must own, however, though I am heartily grieved that I entered so late upon the road of life, as to be overtaken by a gloomy night of public distress, before I had finished my journey ; that I am not a little relieved by the tender consolation which you administered to me in your very agreeable letters ;—in which you tell me I ought to recollect my courage, since my past transactions are such as will speak for me when I am silent, and survive my death,—and such as, if the Gods permit, will bear an ample testimony to the prudence and integrity of my public counsels, by the final restoration of the republic :—or, if otherwise, by burying me in the ruins of my country.

But when I look upon *you*, my Brutus, it fills me with anguish to reflect that, in the vigour of your youth, and when you was making the most rapid progress in the road to fame,
you

your career was suddenly stopped by the fatal overthrow of the commonwealth. This unhappy circumstance has stung me to the heart ; and not *me* only, but my worthy friend here, who has the same affection for you, and the same esteem for your merit which I have. We have the warmest wishes for your happiness, and heartily pray that you may reap the rewards of your excellent virtues, and live to find a republic in which you will be able, not only to revive, but even to add to the fame of your illustrious ancestors. For the forum was your birth-right, your native theatre of action ; and you was the only person that entered it, who had not only formed his elocution by a rigorous course of private practice, but enriched his oratory with the furniture of philosophical science, and thus united the highest virtue to the most consummate eloquence. Your situation, therefore, wounds us with the double anxiety that *you* are deprived of the *republic*, and the republic of *you*. But still continue, my Brutus, (notwithstanding the career of your genius has been checked by the rude shock of our public distresses) continue to pursue your favourite studies, and endeavour, (what you have almost, or rather intirely effected already)

to distinguish yourself from the promiscuous crowd of pleaders with which I have loaded the little history I have been giving you. For it would ill befit you, (richly furnished as you are with those liberal arts, which, unable to acquire at home, you imported from that celebrated city which has always been revered as the seat of learning) to pass after all as an ordinary pleader. For to what purposes have you studied under Pammenes, the most eloquent man in Greece ; or what advantage have you derived from the discipline of *the old* academy, and its hereditary master Aristus (my guest, and very intimate acquaintance) if you still rank yourself in the common class of orators ? Have we not seen that a whole age could scarcely furnish two speakers who really excelled in their profession ? Among a crowd of contemporaries, Galba, for instance, was the only orator of distinction : for old Cato (we are informed) was obliged to yield to his superior merit, as were likewise his two juniors, Lepidus and Carbo. But, in a public harangue, the style of his successors the Gracchi was far more easy and lively : and yet, even in their time, the Roman eloquence had not reached its perfection. Afterwards came Antonius, and Crassus ; and then Cotta,

Cotta, Sulpicius, Hortensius, and—but I say no more : I can only add, that if I had been so fortunate, &c. &c.—[*Cetera desunt.*]

THE
ORATOR,

BY
MARCUS TULLIUS CICERO;

ADDRESSED TO

MARCUS BRUTUS;

AND NOW FIRST TRANSLATED FROM THE ORIGINAL LATIN.

"Song charms the Sense, but Eloquence the Soul."
MILTON.

THE
ORATOR.

WHICH, my Brutus, would be the most *difficult* task,—to decline answering a request which you have so often repeated, or to gratify it to your satisfaction,—I have long been at a loss to determine. I should be extremely sorry to deny any thing to a friend for whom I have the warmest esteem, and who, I am sensible, has an equal affection for me;—especially, as he has only desired me to undertake a subject which may justly claim my attention. But to delineate a character, which it would be very difficult, I will not say to *acquire*, but even to *comprehend* in its full extent, I thought was too bold an undertaking for him who reveres the censure of the wise and learned. For, considering the great diversity of manner among the ablest speakers, how exceedingly difficult must it be to determine which is best, and give a finished model of eloquence? This, however, in compliance with your repeated solicitations,

I shall now attempt;—not so much from any hopes of succeeding, as from a strong inclination to make the trial. For I had rather, by yielding to your wishes, give you room to complain of my insufficiency; than, by a peremptory denial, tempt you to question my friendship. You desire to know, then, (and you have often repeated your request) what kind of eloquence I most approve, and can look upon to be so highly finished, as to require no farther improvement. But should I be able to answer your expectations, and display, in its full perfection, the orator you enquire after; I am afraid I shall retard the industry of many, who, enfeebled by despair, will no longer attempt what they think themselves incapable of attaining. It is but reasonable, however, that all those who covet what is excellent, and which cannot be acquired without the greatest application, should exert their utmost. But if any one is deficient in capacity, and destitute of that admirable force of genius which nature bestows upon her favourites, or has been denied the advantages of a liberal education, *let him make the progress he is able.* For while we are striving to overtake the foremost, it is no disgrace to be found among the *second* class, or even the *third*.

third. Thus, for instance, among the poets, we respect the merit not only of a *Homer* (that I may confine myself to the Greeks) or of *Archilochus*, *Sophocles*, or *Pindar*, but of many others who occupied the second, or even a lower place. In philosophy, also, the diffusive majesty of *Plato* has not deterred *Aristotle* from entering the list; nor has *Aristotle* himself, with all his wonderful knowledge and fertility of thought, disheartened the endeavours of others.

Nay, men of an elevated genius have not only disdained to be intimidated from the pursuit of literary fame;—but the very artists and mechanics have never relinquished their profession, because they were unable to equal the beauty of that *Iasylus* which we have seen at Rhodes, or of the celebrated *Venus* in the island of *Coos*:—nor has the noble image of Olympian *Jove*, or the famous statue of the man at arms, deterred others from making trial of their abilities, and exerting their skill to the utmost. Accordingly, such a large number of them has appeared, and each has performed so well in his own undertaking, that we cannot help being pleased with their productions, notwithstanding our admiration at the nobler efforts

efforts of the great masters of the chissel. But among the orators, I mean those of Greece, it is astonishing how much one of them has surpassed the rest :—and yet, though there was a *Demosthenes*, there were even *then* many other orators of considerable merit ;—and such there were before he made his appearance, nor have they been wanting since. There is, therefore, no reason why those who have devoted themselves to the study of eloquence, should suffer their hopes to languish, or their industry to flag. For, in the first place, even that which is most excellent is not to be despaired of ;—and, in all worthy attempts, that which is next to what is best is great and noble. (But in sketching out the character of a complete orator, it is possible I may exhibit such a one as hath never yet existed.) For I am not to point out the *speaker*, but to delineate the *eloquence* than which nothing can be more perfect of the kind :—an eloquence which hath blazed forth through a whole harangue but seldom, and, it may be, never ; but only here and there, like a transient gleam, though, in some orators more frequently, and in others, perhaps, more sparingly. My opinion, then, is,—that there is no human production of any kind, so completely beautiful,

beautiful, than which there is not a *something* still more beautiful, from which the other is copied like a portrait from real life, and which can be discerned neither by our eyes nor ears, nor any of our bodily senses, but is visible only to thought and imagination. Though the statues, therefore, of Phidias, and the other images abovementioned, are all so wonderfully charming, that nothing can be found which is more excellent of the kind ; we may still, however, *suppose* a something which is more exquisite, and more complete. For it must not be thought that the ingenious artist, when he was sketching out the form of a Jupiter, or a Minerva, borrowed the likeness from any particular object ;—but a certain admirable semblance of beauty was present to his mind, which he viewed and dwelt upon, and by which his skill and his hand were guided.

As, therefore, in mere bodily shape and figure there is a kind of perfection, to whose ideal appearance every production which falls under the notice of the eye is referred by imitation ; so the semblance of what is perfect in oratory may become visible to the mind, and the ear may labour to catch a likeness. These primary forms of things are by Plato (the father

of

of science and dignity of language) called *ideas*; and he tells us they have neither beginning nor end, but are coeval with reason and intelligence; while every thing besides has a derived, and a transitory existence, and passes away and decays, so as to cease in a short time to be the thing it was. Whatever, therefore, may be discussed by reason and method, should be constantly reduced to the primary form or semblance of its respective model. I am sensible that this introduction, as being derived, not from the principles of eloquence, but from the deepest recesses of philosophy, will excite the censure, or at least the wonder of many, who will think it both unfashionable and intricate. For they will either be at a loss to discover its connexion with my subject, (though they will soon be convinced by what follows, that, if it appears to be far-fetched, it is not so without reason) or they will blame me, perhaps, for deserting the beaten track, and striking out into a new one. But I am satisfied that I often appear to advance novelties, when I offer sentiments which are, indeed, of a much earlier date, but happen to be generally unknown: and I frankly acknowledge that I came forth an orator, (if indeed I am one, or whatever else I may

may be deemed) not from the schools of the rhetoricians, but from the spacious walks of the academy. For these are the theatres of diversified and extensive arguments which were first impressed with the foot-steps of Plato; and his dissertations, with those of other philosophers, will be found of the greatest utility to an orator, both for his exercise and improvement; because all the fertility, and, as it were, the materials of eloquence, are to be derived from thence;—but not, however, sufficiently prepared for the business of the forum, which, as themselves have frequently boasted, they abandoned to the *rustic muses* of the vulgar! Thus the eloquence of the forum, despised and rejected by the philosophers, was bereaved of her greatest advantages:—but, nevertheless, being arrayed in all the brilliance of language and sentiment, she made a figure among the populace, nor feared the censure of the judicious few. By this means, the learned became destitute of a popular eloquence, and the orators of polite learning.

We may, therefore, consider it as a capital maxim, (the truth of which will be more easily understood in the sequel) that the eloquent speaker we are enquiring after, cannot be formed

ed without the assistance of philosophy. I do not mean that this alone is sufficient ; but only (for it is sometimes necessary to compare great things to small) that it will contribute to improve him in the same manner as the *palastra** does an actor ; because, without philosophy, no man can speak fully and copiously upon a variety of important subjects which come under the notice of an orator. Accordingly, in the *Phædrus* of Plato, it is observed by Socrates that the great *Pericles* excelled all the speakers of his time, because he had been a hearer of *Anaxagoras* the naturalist, from whom he supposes that he not only borrowed many excellent and sublime ideas, but a certain richness and fertility of language, and (what in eloquence is of the utmost consequence) the various arts either of soothing or awakening each particular passion. The same might be said of *Demosthenes*, whose letters will satisfy us, how assiduously he attended the lectures of Plato. For
without

* The *palastra* was a place set apart for public exercises, such as wrestling, running, fencing, &c. the frequent performance of which contributed much to a graceful carriage of the body, which is a necessary accomplishment in a good actor.

without the instruction of philosophy, we can^{ethic} neither discover what is the *genus* or the *species* to which any thing belongs, nor explain the nature of it by a just definition, or an accurate analysis of its parts ;—nor can we distinguish between what is true and false, or foresee the consequences, point out the inconsistencies, and dissolve the ambiguities which may lie in the case before us. But as to natural philosophy (the knowledge of which will supply us with the richest treasures of elocution ;)—and as to life, and its various duties, and the great principles of morality, what is it possible either to express or understand aright, without a large acquaintance with these ?

To such various and important accomplishments we must add the innumerable ornaments of language, which, at the time above mentioned, were the only weapons which the masters of rhetoric could furnish. This is the reason why that genuine, and perfect eloquence we are speaking of, has been yet attained by no one ; because the art of *reasoning* has been supposed to be one thing, and that of *speaking* another ; and we have had recourse to different instructors for the knowledge of things and words.

Antonius,

Antonius,* therefore, to whom our ancestors adjudged the palm of eloquence, and who had much natural penetration and sagacity, has observed, in the only book he published, *that he had seen many good speakers, but not a single orator*. The full and perfect semblance of eloquence had so thoroughly possessed his mind, and was so completely visible there, though no where exemplified in practice, that this consummate genius, (for such, indeed, he was) observing many defects both in himself and others, could discover no one who merited the name of *eloquent*. But if he considered neither himself, nor Lucius Crassus, as a genuine orator, he must have formed in his mind a sublime idea of eloquence, under which, because there was nothing wanting to complete it, he could not comprehend those speakers who were any ways deficient. Let us then, my Brutus, (if we are able) trace out the orator whom Antonius never saw, and who, it may be, has never yet existed; for though we have not the skill to copy his likeness in real practice, (a task

* A celebrated orator, and grandfather to M. Antonius the Triumvir.

task which, in the opinion of the person above-mentioned, a superior being could scarcely effect) we may be able, perhaps, to give some account of what he *ought* to be.

Good speaking, then, may be divided into three characters, in each of which there are some who have made an eminent figure: but to be equally excellent in *all* (which is what we require) has been the happiness of few. The *lofty* and *majestic* speaker, who distinguishes himself by the energy of his sentiments, and the dignity of his expression, is impetuous,—diversified,—copious,—and weighty,—and abundantly qualified to rouse and sway the passions;—which some effect by a harsh, and a rough, gloomy way of speaking, without any harmony or measure: and others by a smooth, a regular, and a well-proportioned style. On the other hand, the *fluent* and *minute* speaker being dexterous and acute, aims at nothing but our information, and make every thing he discourses upon, rather clear and open than great and striking, and polishes it with the utmost neatness and accuracy. But some of this kind of speakers, who are distinguished by their peculiar artifice, are designedly unpolished, and appear rude and unskilful, that they

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may have the better opportunity of deceiving us:—while others, with the same poverty of style, are far more elegant and agreeable,—that is, they are pleasant and facetious, and sometimes even florid, with here and there an easy ornament. But there is likewise a *middle* kind of oratory, between the two above-mentioned, which neither has the keenness of the latter, nor hurls the thunder of the former; but is a mixture of both, without excelling in either, though at the same time it has something of each, or (perhaps more properly) is equally destitute of the true merit of both. This species of eloquence flows along in an uniform course, having nothing to recommend it, but its peculiar smoothness and equability; though, at the same time, it intermingles a number of decorations, like the tufts of flowers in a garland, and embellishes a discourse from beginning to end with the moderate and less striking ornaments of language and sentiment. Those who have attained to any degree of perfection in either of the above characters, have been distinguished as eminent orators: but the question is, whether any of them have compassed what we are seeking after, and succeeded equally in all.

For

For there have been several who could speak nervously and majestically, and yet, upon occasion, could express themselves with the greatest address and simplicity. I wish I could refer to such an orator, or at least to one who nearly resembles him, among the Romans; for it would certainly have been more to our credit to be able to refer to proper examples of our own, and not be necessitated to have recourse to the Greeks. But though, in another treatise of mine, which bears the name of *Brutus*,^p I have said much in favour of the Romans, partly to excite their emulation, and, in some measure, from a partial fondness for my country; yet I must always remember to give the preference to *Demosthenes*, who alone has adapted his genius to that perfect species of eloquence of which I can readily form an idea,

Q 2

^p A very excellent treatise in the form of a dialogue. It contains a critical and very instructive account of all the noted orators of *Greece* and *Rome*, and might be called, with great propriety, *the history of eloquence*. Though it is perhaps the most entertaining of all Cicero's performances, the public have never been obliged before with a translation of it into English; which, I hope, will sufficiently plead my excuse for presuming to undertake it.

idea, but which I have never yet seen exemplified in practice. Than *him*, there has never hitherto existed a more nervous, and, at the same time, a more subtle speaker, or one more cool and temperate. I must, therefore, caution those whose ignorant discourse is become so common, and who wish to pass for *Attic* speakers, or at least to express themselves in the *Attic* taste,—I must caution them to take *him* for their pattern, than whom it is impossible that Athens herself should be more completely *Attic*: and, as to genuine *Atticism*, let them learn what it means, and measure the force of eloquence, not by their own weakness and incapacity, but by his wonderful energy and strength. For, at present, a person bestows his commendation upon just so much as he thinks himself capable of imitating. I therefore flatter myself that it will not be foreign to my purpose, to instruct those who have a laudable emulation, but are not thoroughly settled in their judgment, wherein the merit of an *Attic* orator consists.

The taste of the audience, then, has always governed and directed the eloquence of the speaker: for all who wish to be applauded, consult the character, and the inclinations of those

those who hear them, and carefully form and accommodate themselves to their particular humours and dispositions. Thus in Caria, Phrygia, and Mysia, because the inhabitants have no relish for true elegance and politeness, the orators have adopted (as most agreeable to the ears of their audience) a luxuriant, and, if I may so express myself, a *corpulent* style; which their neighbours the Rhodians, who are only parted from them by a narrow straight, have never approved, and much less the Greeks; but the Athenians have entirely banished it; for their taste has always been so just and accurate, that they could not listen to any thing but what was perfectly correct and elegant. An orator, therefore, to compliment their delicacy, was forced to be always upon his guard against a faulty or a distasteful expression. Accordingly *he*, whom we have just mentioned as surpassing the rest, has been careful, in his oration for Ctesiphon, (which is the best he ever composed) to set out very coolly and modestly: when he proceeds to argue the point of law, he grows more poignant and pressing; and as he advances in his defence, he takes still greater liberties; till, at last, having warmed the passions of his judges, he exults at his pleasure

through the remaining part of his discourse.— But even in *him*, thus carefully weighing and poising his every word, Æschines^a could find several expressions to turn into ridicule: for giving a loose to his raillery, he calls them harsh and detestable, and too shocking to be endured; and styling the author of them a very *monster*, he tauntingly asks him whether such expressions could be considered as *words*, or not rather as absolute *frights* and *prodigies*. So that to Æschines not even Demosthenes himself was perfectly *Attic*; for it is an easy matter to catch a *glowing* expression, (if I may be allowed to call it so) and expose it to ridicule, when the fire of attention is extinguished. Demosthenes, therefore, when he endeavours to excuse himself, condescends to jest, and denies that the fortune of Greece was in the least affected by the singularity of a particular expression, or by his moving his hand either this way or

^a Æschines was a contemporary, and a professed rival of Demosthenes. He carried his animosity so far as to commence a litigious suit against him, at a time when the reputation of the latter was at the lowest ebb. But being overpowered by the eloquence of Demosthenes, he was condemned to perpetual banishment.

or that. With what patience, then, would a Mysian or a Phrygian have been heard at Athens, when even Demosthenes himself was reproached as unchaste? But should the former have begun his whining sing-song, after the manner of the Asiatics, who would have endured it? or rather, who would not have ordered him to be instantly torn from the rostrum?

Those, therefore, who can accommodate themselves to the *nice* and *critical* ears of an Athenian audience, are the only persons who should pretend to Atticism. But though Atticism may be divided into several kinds, these mimic Athenians suspect but one. They imagine that to discourse plainly, and without any ornament, provided it be done correctly, and clearly, is the only genuine Atticism. In confining it to this alone, they are certainly mistaken; though when they tell us that this is really Attic, they are so far in the right. For if the only true Atticism is what they suppose to be, not even *Pericles* was an Attic speaker, though he was universally allowed to bear away the palm of eloquence; nor, if he had wholly attached himself to this plain and simple kind of language, would he ever have been

said by the poet Aristophanes *to thunder and lighten, and throw all Greece into a ferment*. Be it allowed, then, that Lysias, that graceful and most polite of speakers, was truly Attic: for who can deny it? But let it also be remembered that Lysias claims the merit of Atticism, not so much for his simplicity and want of ornament, as because he has nothing which is either faulty or impertinent. But to speak floridly, nervously, and copiously, this also is true Atticism: otherwise, neither Æschines nor even Demosthenes himself were Attic speakers. There are others who affect to be called imitators of *Thucydides*,—a strange and novel race of triflers! For those who attach themselves to Lysias, have a real pleader for their pattern; not indeed a stately, and striking pleader, but yet a dexterous and very elegant one, who might appear in the forum with reputation. Thucydides, on the contrary, is a mere historian, who (it is true) describes wars and battles with great dignity and precision; but he can supply us with nothing which is proper for the forum. For his very speeches have so many obscure and intricate periods, that they are scarcely intelligible; which in a public discourse is the greatest fault of which
an

an orator can be guilty. But who, when the use of corn has been discovered, would be so mad as to feed upon acorns? Or could the Athenians improve their diet, and bodily food, and be incapable of cultivating their language? Or, lastly, which of the Greek orators has copied the style of Thucydides?^r True, they reply, but Thucydides was universally admired. And so, indeed, he was; but only as a sensible, an exact, and a grave historian;—not for his address in public debates, but for his excellence in describing wars and battles. Accordingly, he was never mentioned as an orator; nor would his name have been known to posterity, if he had not composed his history, notwithstanding the dignity of his birth, and the honourable share he held in the government. But none of these pretenders have copied his energy; and yet when they have uttered a few mutilated and broken periods (which they might easily have done without a master to imitate) we must revere them, truly, as so many genuine *Thucydideses*. I have likewise met
with

^r Demosthenes, indeed, took the pains to transcribe the history of Thucydides several times. But he did this, not so much to copy the *form* as the energy of his language.

with a few who were professed imitators of Xenophon ; whose language, indeed, is sweeter than honey, but totally unqualified to withstand the clamors of the forum.

Let us return then to the orator we are seeking after, and furnish him with those powers of elocution, which Antonius could not discover in any one :—an arduous task, my Brutus, and full of difficulty :—yet nothing, I believe, is impossible to him whose breast is fired with the generous flame of friendship ! But I affectionately admire (and always have admired) your genius, your inclinations, and your manners. Nay, I am daily more inflamed and ravished, not only with a desire (which I assure you, is a violent one) to renew our friendly intercourses, our social repasts, and your improving conversation, but by the wonderful fame of your incredible virtues, which, though different in kind, are readily united by your superior wisdom and good sense. For what is so remote from severity of manners as gentleness and affability ? And yet who more venerable than yourself, or who more agreeable ?

What can be more difficult than to decide a number of suits, so as to be equally esteemed and beloved by the parties on both sides ? You, however, possess the admirable talent of sending

ing away perfectly easy and contented even those against whom you are forced to give judgment : thus bringing it to bear that, while you do nothing from a partial favour to any man, whatever you do is favourably received. Hence it happens, that the only country upon earth, which is not involved in the present confusion, is the province of Gaul ; where you are now enjoying yourself in a happy tranquillity, while you are universally respected at home, and live in the hearts of the flower and strength of your fellow-citizens. It is equally amazing, though you are always engaged in the most important offices of government, that your studies are never intermitted ; and that you are constantly either composing something of your own, or finding employment for me ! Accordingly I began this Essay, at your request, as soon as I had finished my Cato, which last also I should never have attempted (especially at a time when the enemies of virtue were so numerous) if I had not considered it as a crime to disobey my friend, when he only urged me to revive the memory of a man whom I always loved and honoured in his life-time. But I have now ventured upon a task which you have frequently pressed upon me, and I as often refused :

fused : for, if possible, I would share the fault between us, that, if I should prove unequal to the subject, you may have the blame of loading me with a burden which is beyond my strength, and I the censure of presuming to undertake it :—though after all, the single merit of gratifying such a friend as Brutus, will sufficiently atone for any defects I may fall into.

But in every accomplishment which may become the object of pursuit, it is excessively difficult to delineate the form (or, as the Greeks call it, the *character* *) of what is *best* ; because some suppose it to consist in one thing, and some in another. Thus, for instance, I am for *Ennius*, says one ; because he confines himself to the style of conversation : and I, says another, give the preference to *Pacuvius*, because his verses are embellished and well-wrought ; whereas *Ennius* is rather too negligent. In the same manner we may suppose a third to be an admirer of *Attius* : for, as among the Greeks, so it happens with us, *different men have different opinions* ;—nor is it easy to determine which is *best*. Thus also in painting,

* Χαρακτήρ.

ing, some are pleased with a rough, a wild, and a dark and cloudy style ; while others prefer that which is clear, and lively, and well covered with light. How then shall we strike out a general *rule* or *model*, when there are several manners, and each of them has a certain perfection of its own ? But this difficulty has not *deterred* me from the undertaking ; nor have I altered my opinion, that in all things there is a *something* which comprehends the highest excellence of the kind, and which, though not generally discernible, is sufficiently conspicuous to him, who is skilled in the subject. But as there are several kinds of eloquence which differ considerably from each other, and therefore cannot be reduced to one common form ;—for this reason, as to mere laudatory orations, essays, histories, and such suasive performances as the Panegyric of Isocrates, and the speeches of many others who were called *sophists* ;—and, in short, as to every thing which is unconnected with the forum, and the whole of that species of discourse which the Greeks call the *demonstrative* ;—the form, or ^{ῥητορικὸν γένος} leading ^{ῥητορικὸν γένος}

* The *demonstrative* species of eloquence is that which ^{ῥητορικὸν γένος} was solely employed either in praising or dispraising. Be- ^{ῥητορικὸν γένος} sides

leading character of these I shall pass over; though I am far from considering it as a mere trifle, or a subject of no consequence; on the contrary, we may regard it as the nurse and tutoress of the orator we are now delineating.

XV

For *here*, a fluency of expression is confessedly nourished and cultivated; and the easy construction and harmonious cadence of our language is more openly attended to. *Here*, likewise, we both allow and recommend a studious elegance of diction, and a continued flow of melodious and well-turned periods:—and *here*, we may labour visibly, and without concealing our art, to contrast word to word, and to compare similar, and oppose contrary circumstances, and make several sentences (or parts of a sentence) conclude alike, and terminate with the same cadence;—ornaments which, in real pleadings, are to be used more sparingly, and with less appearance of art. Isocrates, therefore, confesses, in his *Panathenæicus*,

sides this, there are two others, viz. the *deliberative*, and the *judicial*; the former was employed in political debates, where its whole business was either to *persuade* or *dissuade*; and the latter, in judicial suits and controversies, where the speaker was either to *accuse* or *defend*. But, on many occasions, they were all three intermingled in the same discourse.

naicus, that these were beauties which he industriously pursued; for he composed it not for victory in a suit at law (where such a confession must have greatly injured his cause) but merely to gratify the ear. It is recorded that the first persons who practised this species of *composition* were Thrasy-machus the Chalcædonian,

The *composition* here mentioned consisted of three parts. The *first* regarded the structure, that is, the *connexion* of our words, and required that the last syllable of every preceding, and the first of every succeeding word should be so aptly united as to produce an agreeable sound; which was effected by avoiding a collision of vowels or of inamicable consonants. It likewise required that those words should be constantly made choice of, whose separate sounds were most harmonious and most agreeable to the sense. The *second* part consisted in the use of particular forms of expression, such as contrasts and antitheses, which have an appearance of order and regularity in their very texture. The *third* and last regarded that species of harmony which results not so much from the sound, as from the time and quantity of the several syllables in a sentence. This was called *number*, and sometimes *rhyme*; and was in fact a kind of *prosaic metre*, which was carefully attended to by the ancients in every part of a sentence, but more particularly at the beginning and end of it. In this part they usually included the *period*, or the rules for determining the length of their sentences. I thought it necessary to give this

short

cedonian, and Gorgias the Leontine ; and that these were followed by Theodorus the Byzantine, and a number of others, whom Socrates, in the Phædrus of Plato, calls λογοδιδάσκαλος, artificers of words ; many of whose discourses are sufficiently neat and entertaining ; but, being the first attempts of the kind, were too minute and puerile, and had too poetical an air, and too much colouring. On this account, the merit of Herodotus, and Thucydides is the more conspicuous : for though they lived at the time we are speaking of, they carefully avoided those studied decorations, or rather futilities. The former rolls along like a deep, still river, without any rocks or shoals to interrupt its course ; and the other describes wars and battles, as if he was sounding a charge on the trumpet ; so that history (to use the words of Theophrastus) caught the first inspiration from these, and began to express herself with greater dignity and spirit.

After these came Isocrates, whom I have always recommended as the most accomplished writer

short account of their composition, because our author very frequently alludes to it, before he proceeds to explain it at large.

writer we have in the way I am speaking of ; though sometimes, my Brutus, you have objected to it with a great deal of pleasantry and erudition. But when you are better informed for what it is I recommend him, you will then think of him perhaps as favourably as I do. Thrasymachus and Gorgias (who are said to have been the first who cultivated the art of ^{arte quadam} prosaic harmony) appeared to him to be too ^{serba nimium} minutely exact ; and Thucydides, he thought, was as much too loose and rugged, and not sufficiently smooth, and voluble, and from hence he took the hint to give a scope to his sentences - by a more copious and unconfined flow of language, and to fill up their breaks and intervals with the softer and more agreeable numbers. By teaching this to the most celebrated speakers, and composers of the age, his house came at last to be honoured as the *school of eloquence*. Wherefore, as I bore the censure of others with indifference, when I had the good fortune to be applauded by Cato ; thus Isocrates, with the approbation of Plato, may slight the judgment of inferior critics. For in the last page of the Phædrus, we find Socrates thus expressing himself : Now, indeed, my dear Phædrus, said he, Isocrates is but a youth :

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but I will discover to you what I think of him. And what is that? replied the other. He appears to me, said the philosopher, to have too elevated a genius to be placed on a level with the arid speeches of Lysias. Besides, he has a stronger turn for virtue; so that I shall not wonder, as he advances in years, if, in the species of eloquence to which he now applies himself, he should exceed all, who have hitherto pursued it, like so many infants. Or, if this should not content him, I shall not be astonished to behold him, with a godlike ardour, pursuing higher and more important studies; for I plainly see that he has a natural bent to philosophy! Thus Socrates presaged of him when he was but a youth. But Plato recorded this eulogium when he was older; and he recorded it, though he was one of his equals and contemporaries, and a professed enemy to the whole tribe of rhetoricians! *Him* he admires, and *him* alone! So that such who despise Isocrates, must suffer me to err with Socrates and Plato. The manner of speaking, then, which is observed in the *demonstrative* or ornamental species of eloquence, and which I have before remarked was peculiar to the sophists, is sweet, harmonious, and flowing, full of

of pointed sentiments, and arrayed in all the brilliance of language. But it is much fitter for the parade than the field; and being, therefore, consigned to the Palæstra, and the schools, has been long banished from the forum. As eloquence, however, after she had been fed and nourished with this, acquires a fresher complexion, and a firmer constitution; it would not be amiss, I thought, to trace our orator from his very *cradle*.

But these things are only for shew and amusement: whereas it is our business to take the field in earnest, and prepare for action. As there are three particulars, then, to be attended to by an orator,—viz. *what* he is to say, in *what order*, and *how*; we shall consider what is most excellent in each; but after a different manner from what is followed in delivering a system of the art. For we are not to furnish a set of precepts (this not being the province we have undertaken) but to exhibit a portrait of eloquence in her full perfection: neither is it our business to explain the methods by which we may acquire it, but only to shew what opinion we ought to form of it. The two first *dis-primæ* articles are to be lightly touched over; for they have not so much a remarkable as a necessary

share in forming the character of a complete orator, and are likewise common to *his* with many other professions ;—and though, to invent, and judge with accuracy, what is proper to be said, are important accomplishments, and the same as the soul is to the body, yet they rather belong to *knowledge* than to eloquence.

In what cause, however, can *knowledge* be un-availing ? Our orator, therefore, who is to be all perfection, should be thoroughly acquainted with the sources of argument and proof.

[For as every thing, which can become the subject of debate, must rest upon one or another of these particulars, viz.—whether a fact has been really committed, or what name it ought to bear in law, or whether it is agreeable or contrary to justice ; and as the reality of a fact must be determined by force of evidence, the true name of it by its definition, and the quality

sach / manig (of it by the received notions of right and wrong:
as vulgaris —an orator (not an ordinary one, but the
excellens finished speaker we are describing) will al-

ways turn off the controversy, as much as possible, from particular persons and times, (for, we may argue more at liberty concerning general topics than about peculiar circumstances) in such a manner that what is proved

to

to be true *universally*, may necessarily appear to be so in all *subordinate* cases. The point in debate being thus abstracted from particular persons and times, and brought to rest upon general principles, is called a *thesis*. In *this* the famous Aristotle carefully practised his scholars ;—not to argue with the formal precision of philosophers, but to canvas a point fully and readily on both sides, and with all the copiousness so much admired in the rhetoricians : and for this purpose he delivered a set of *common-places* (for so he calls them) which were to serve as so many marks or characters for the discovery of arguments, and from which a discourse might be aptly framed on either side of a question. Our orator, then, (for I am not speaking of a mere school-declainer, or a noisy ranter in the forum, but of a well-accomplished and a finished speaker)—our orator, as there is such a copious variety of common-places, will examine them all, and employ those which suit his purpose in as general and indefinite a manner as his cause will permit ; and carefully trace and investigate them to their inmost sources. But he will use the plenty before him with discretion, and weighing every thing with the utmost accuracy, select what is best : for the

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stress

stress of an argument does not always, and in every cause, depend upon similar topics. He will, therefore, exercise his judgment; and not only discover what *may* be said, but thoroughly examine the *force* of it. For nothing is more fertile than the powers of genius, and especially those which have been blessed with the cultivation of science. But as a rich and fruitful soil not only produces corn in abundance, but also weeds to choak and smother it; so from the common-places we are speaking of, many arguments will arise, which are either trivial, or foreign to our purpose, or entirely useless. An orator, therefore, should carefully examine each, that he may be able to select with propriety. Otherwise, how can he enlarge upon those which are most pertinent, and dwell upon such as more particularly affect his cause? Or how can he soften a harsh circumstance, or conceal, and (if possible) entirely suppress what would be deemed unanswerable, or steal off the attention of the hearer to a different topic? Or how alledge another argument in reply, which shall be still more plausible than that of his antagonist? But after he has thus *selected* what is *proper* to be said, with what accuracy must he *methodize* his materials?

rials? For this is the second of the three articles above-mentioned. Accordingly, he will give the portal of his harangue a graceful appearance, and make the entrance to his cause as neat and splendid as the importance of it will permit. When he has thus made himself master of the hearer's good wishes at the first onset, he will endeavour to invalidate what makes against him; and having, by this means cleared his way, his strongest arguments will appear some of them in the front, and others at the close of his discourse; and as to those of more trifling consequence, he will occasionally introduce² them here and there, where he judges them likely to be most serviceable. Thus, then, we have given a cursory view of what he ought to be, in the two first departments of oratory. But, as we before observed, these, though very important in their consequences, require less art and application.

After he has thus invented what is proper to be said, and in what order, the greatest difficulty is still behind;—namely to consider *how* he is to say it, and *in what manner*. For the

R 4 observation

² In the original it is *inulcabit* he will tread them in, (like the sand or loose dust in a new pavement) to support and strengthen the whole.

observation of our favourite Carneades is well-known, that Clitomachus had a perpetual sameness of sentiment, and Charmidas a tiresome uniformity of expression. But if it is a circumstance of so much moment in philosophy, *in what manner* we express ourselves, where the matter, and not the language, is principally regarded; what must we think of public debates, which are wholly ruled and swayed by the powers of elocution? Accordingly, my Brutus, I am sensible from your letters, that you mean to inquire what are my notions of a finished speaker, not so much with respect to his invention and disposition, as to his talents of *elocution*:—a severe task! and the most difficult you could have fixed upon! For as language is ever soft and yielding, and so amazingly pliable that you may bend and form it at your pleasure; so different natures and dispositions have given rise to different kinds of elocution. Some, for instance, who place the chief merit of it in its rapidity, are mightily pleased with a torrent of words, and a volubility of expression. Others again are better pleased with regular, and measured intervals, and frequent stops, and pauses. What can be more opposite? And yet both have their

their proper excellence. Some also confine their attention to the smoothness and equability of their periods, and aim at a style which is perfectly neat and clear: while others affect a harshness, and severity of diction, and to give a gloomy cast to their language:—and as we have already observed that some endeavour to be nervous and majestic, others neat and simple, and some to be smooth and florid, it necessarily follows that there must be as many different kinds of orators, as there are of eloquence.

17. But as I have already enlarged the task you have imposed upon me;—(for though your enquiries related only to elocution, I have ventured a few hints on the arts of invention and disposition;—) I shall now treat not only of *elocution*, but of *action*. By this means, every part of oratory will be attended to: for as to *memory*, which is common to this with many other arts, it is entirely out of the question. The art of speaking, then, so far as it regards only the *manner* in which our thoughts should be expressed, consists in *action* and *elocution*; for action is the eloquence of the body, and implies the proper management of our *voice* and *gesture*. As to the inflections of the voice, they are as numerous as the various passions it

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is capable of exciting. The finished orator, therefore, who is the subject of this Essay, in whatever manner he would appear to be affected himself, and touch the heart of his hearer, will employ a suitable and corresponding tone of voice :—a topic which I could willingly enlarge upon, if delivering precepts was any part of my present design, or of your request. I should likewise have treated concerning *gesture*, of which the management of the countenance is a material part: for it is scarcely credible of what great importance it is to an orator to recommend himself by these external accomplishments. For even those who were far from being masters of good language, have many times, by the sole dignity of their action, reaped the fruits of eloquence; while others who had the finest powers of elocution, have too often, by the mere awkwardness of their delivery, led people to imagine that they were scarcely able to express themselves :—so that Demosthenes, with sufficient reason, assigned the first place, and likewise the second and third, to *pronunciation*. For if eloquence without this is nothing, but this, even without eloquence, has such a wonderful efficacy, it must be allowed to bear the principal sway in the practice

actio.

practice of speaking. If an orator, then, who is ambitious to win the palm of eloquence, has any thing to deliver which is warm and cutting, let his voice be strong and quick ;—if what is calm and gentle, let it be mild and easy ;—if what is grave and sedate, let it be cool and settled ;—and if what is mournful and affecting, let his accents be plaintive and flexible. For the voice may be raised or depressed, and extended or contracted to an astonishing degree; thus in music (for instance) its three tones, the *mean*, the *acute*, and the *grave*, may be so managed by art, as to produce a pleasing and an infinite variety of sounds.

/8 Even in speaking there may be a concealed kind of music :—not like the whining epilogue of a Phrygian or a Carian declaimer, but such as was intended by Æschines, and Demosthenes, when the one upbraids and reproaches the other with the artificial modulations of his voice. Demosthenes, however, says most upon this head, and often speaks of his accuser as having a sweet and clear pronunciation. There is another circumstance, which may farther enforce our attention to the agreeable management of the voice; for nature herself, as if she meant to harmonize the speech of man, has placed

placed an accent on every word, and one accent only, which never lies farther than the third syllable from the last. Why, therefore, should we hesitate to follow her example, and do our best to gratify the ear? A good voice, indeed, though a desirable accomplishment, is not in our power to acquire:—but to exercise, and improve it, is certainly in the power of every person. The orator, then, who means to be the prince of his profession, will change and vary his voice with the most delicate propriety; and by sometimes raising and sometimes depressing it, pursue it gradually through all its different tones, and modulations. He will likewise regulate his *gesture*, so as to avoid even a single motion which is either superfluous or impertinent. His posture will be erect and manly:—he will move from his ground but seldom, and not even then too precipitately; and his advances will be few and moderate. He will practise no languishing, no effeminate airs of the head, no finical playing of the fingers, no measured movement of the joints. The chief part of his gesture will consist in the firm and graceful sway of his body, and in extending his arm when his arguments are pressing, and drawing it again when his vehemence abates. But as to the *countenance*, which
next

next to the voice has the greatest efficacy, what dignity and gracefulness is it not capable of supporting! And when you have been careful that it may neither be unmeaning, nor ostentatious, there is still much to be left to the expression of the *eyes*. For if the countenance is the *image* of the mind, the eyes are its *interpreters*, whose degree of pleasantry or sadness must be proportioned to the importance of our subject.

19 But we are to exhibit the portrait of a finished orator, whose chief excellence must be supposed, from his very name, to consist in his *elocution*; while his other qualifications (though equally complete) are less conspicuous. For a mere inventor, a mere digester, or a mere actor, are titles never made use of to comprise the whole character; but an orator derives his name, both in Greek and Latin, from the single talent of elocution. As to his other qualifications, every man of sense may claim a share of them: but the full powers of language are exerted by himself alone. Some of the philosophers, indeed, have expressed themselves in a very elegant manner: for Theophrastus derived his name from the divinity of his style; Aristotle rivalled the glory of Isocrates; and *e/*
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the muses themselves are said to have spoken from the lips of Xenophon; and, to say no more, the great Plato is acknowledged in majesty and sweetness to have far exceeded all who ever wrote or spoke. But their language has neither the nerves nor the fire which is required in the orator, when he harangues the crowded forum. They speak only to the learned, whose passions they rather choose to compose than disturb; and they discourse about matters of calm and untumultuous speculation, merely as teachers, and not like eager antagonists: though even *here*, when they endeavour to amuse and delight us, they are thought by some to exceed the limits of their province. It will be easy, therefore, to distinguish this species of elocution from the eloquence we are attempting to delineate. For the language of *philosophy* is gentle and composed, and entirely calculated for the shady walks of the academy;—not armed with those forcible sentiments, and rapid turns of expression, which are suited to move the populace, nor measured by exact numbers and regular periods, but easy, free, and unconfined. It has nothing resentful belonging to it, nothing invidious, nothing fierce and flaming, nothing exaggerated,

exaggerated, nothing marvellous, nothing artful and designing; but resembles a chaste, a bashful, and an unpolluted virgin. We may, therefore, consider it as a kind of polite conversation, rather than a species of oratory. As to the *sophists*, whom I have already mentioned, the resemblance ought to be more accurately distinguished: for they industriously pursue the same flowers which are used by an orator in the forum. But they differ in this,—that as their principal aim is not to disturb the passions, but rather to allay them, and not so much to persuade as to please,—they attempt the latter more openly, and more frequently than we do. They seek for agreeable sentiments, rather than probable ones; they use more frequent digressions, intermingle tales and fables, employ more shewy metaphors, and work them into their discourses with as much fancy and variety as a painter does his colours; and they abound in contrasts and antitheses, and in similar and corresponding cadences.

20 Nearly allied to these is *history*, which conducts her narratives with elegance and ease, and now and then sketches out a country, or a battle. She likewise diversifies her story with short

short speeches, and florid harangues: but in these, only neatness and fluency is to be expected, and not the vehemence and poignant severity of an orator.⁷ There is much the same difference between eloquence and *poetry*; for the poets likewise have started the question, What is it which distinguishes them from the orators? It was formerly supposed to be their *number* and *metre*: but numbers are now as familiar to the orator, as to the poet; for whatever falls under the regulation of the ear, though it bears no resemblance to verse (which in oratory would be a capital fault) is called *number*, and by the Greeks *rhythm*.⁸ In the opinion of some, therefore, the style of *Plato* and *Democritus*, on account of its majestic flow, and the splendour of its ornaments, though it is far from being verse,

⁷ In the original it is,—*sed in his tracta quædam et fluens expetitur, non hæc contorta, et acris oratio*; upon which Dr. Ward has made the following remark:—"Sentences, with respect to their form or composition, are distinguished into two sorts, called by Cicero *tracta*, straight or direct, and *contorta*, bent or winding. By the former are meant such, whose members follow each other in a direct order, without any inflexion; and by the latter, those which strictly speaking are called periods."

⁸ Ρυθμος.

has a nearer resemblance to poetry than the style of the comedians, who, excepting their metre, have nothing different from the style of conversation. Metre, however, is far from being the principal merit of the poets; though it is certainly no small recommendation, that, while they pursue all the beauties of eloquence, the harmony of their numbers is far more regular and exact. But, though the language of poetry is equally grand and ornamental with that of an orator, she undoubtedly takes greater liberties both in making and compounding words; and frequently administers to the pleasure of her hearers, more by the pomp and lustre of her expressions, than by the weight and dignity of her sentiments. Though judgment, therefore, and a proper choice of words, is alike common to both, yet their difference in other respects is sufficiently discernible: but if it affords any matter of doubt (as to some, perhaps, it may) the discussion of it is no way necessary to our present purpose.

We are, therefore, to delineate the orator who differs equally from the eloquence of the philosopher, the sophist, the historian, and the poet. *He*, then, is truly eloquent (for after *him* we must search, by the direction of Antonius) who in the forum, and in public debates,

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can so speak, as to *prove*, *delight*, and *rouse the passions*. To *prove*, is a matter of necessity:—to *delight*, is indispensably requisite to engage the attention:—and to *rouse the passions*, is the surest means of victory; for this contributes more effectually than both the others to get a cause decided to our wishes. But as the duties of an orator, so the kinds of elocution are three. The neat and accurate is used in *proving*; the moderately florid in *delighting*; and the vehement and impetuous in *rousing the passions*, in which alone all the power of eloquence consists. Great, therefore, must be the judgment, and wonderful the talents of the man, who can properly conduct, and, as it were, temper this threefold variety: for he will at once determine what is suitable to every case; and be always able to express himself as the nature of his subject may require. *Discretion*, therefore, is the basis of eloquence, as well as of every other accomplishment. For, as in the conduct of life, so in the practice of speaking, nothing is more difficult than to maintain a propriety of character. This is called by the Greeks τὸ πρέπον, *the becoming*, but we shall call it *decorum*; a subject which has been excellently and very copiously discussed, and richly merits our attention.

tention. The want of this has been the source of innumerable errors, not only in the business of life, but in poetry and eloquence. An orator, therefore, should examine what is becoming, as well in the turn of his language, as in that of his sentiments. For not every condition, not every rank, not every character, nor every age, or place, or time, nor every hearer is to be treated with the same invariable train either of sentiment or expression:—but we should always consider in every part of a public oration, as well as of life, what will be most becoming,—a circumstance which naturally depends on the nature of the subject, and the respective characters of the speaker and hearer. Philosophers, therefore, have carefully discussed this extensive and important topic in the doctrine of *Ethics*, (though not, indeed, when they treat of right and wrong, because those are invariably the same:)—nor is it less attended to by the critics in their poetical essays, or by men of eloquence in every species and every part of their public debates. For what would be more out of character, than to use a lofty style, and ransack every topic of argument, when we are speaking only of a petty trespass in some inferior court? Or, on the other hand, to descend to any puerile subtleties,

and speak with the indifference and tameness of a frivolous narrative, when we are lashing treason and rebellion?

22 *Here*, the indecorum would arise from the very nature and quality of the subject: but others are equally guilty of it, by not adapting their discourse either to their own characters, or to that of their hearers, and, in some cases, to that of their antagonist; and they extend the fault not only to their sentiments, but to the turn of their expression. It is true, indeed, that language has no force when it is not supported by a proper solidity of sentiment: but it is also equally true that the same thing will be either approved or rejected, according as it is this or that way expressed. In all cases, therefore, we cannot be too careful in examining the *how far?* for though every thing has its proper *mean*, yet an *excess* is always more offensive and disgusting than a proportionable *defect*. *Apelles*, therefore, justly censures some of his contemporary artists, because they never knew when they had performed enough. This, my Brutus, as your long acquaintance with it must necessarily inform you, is a copious subject, and would require an extensive volume to discuss. But it is sufficient to our present purpose to observe, that

*quæ re nulla
vis vultu est.
de or. 1. 57.*

that in all our words and actions, as well the smallest as the greatest, there is a something which will appear either becoming or unbecoming, and that almost every one is sensible of its consequence. But what is becoming, and what is necessary, are very different considerations, and belong to a different topic:—for the necessary points out the perfection of duty, which should be attended to upon all occasions, and by all persons: but the *becoming* denotes that which is *merely proper*, and suited to time and character, which is of great importance not only in our actions and language, but in our very looks, our gesture, and our walk; and that which is contrary to it will always be *unbecoming*, and disagreeable. If the poet, therefore, carefully guards against any impropriety of the kind, and is always condemned as guilty of a fault, when he puts the language of a worthy man into the mouth of a ruffian, or that of a wise man into the mouth of a fool:—if, moreover, the artist who painted the sacrifice of *Iphigenia*^a, could see that *Calchas* should ap-

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pear

^a Agamemnon, one of the Grecian chiefs, having by accident slain a deer belonging to Diana, the Goddess was so enraged

pear greatly concerned, *Ulysses* still more so, and *Menelaus* bathed in tears, but that the head of *Agamemnon* (the virgin's father) should be covered with his robe, to intimate a degree of anguish which no pencil could express: lastly, if a mere actor on the stage is ever cautious to keep up the character he appears in, what must be done by the orator? But as this is a matter of such importance, let him consider, at his leisure, what is proper to be done in particular causes, and in their several parts and divisions: for it is sufficiently evident, not only that the different parts of an oration, but that entire causes ought to be managed,

enraged at this profanation of her honours, that she kept him wind-bound at Aulis with the whole fleet. Under this heavy disaster, having recourse to the oracle, (their usual refuge in such cases) they were informed that the only atonement which the angry Goddess would accept, was the sacrifice of one of the offender's children. *Ulysses* having, by a stratagem, withdrawn *Iphigenia* from her mother for that purpose, the unhappy virgin was brought to the altar. But, as the story goes, the Goddess relenting at her hard fate, substituted a deer in her stead, and conveyed her away to serve her as a priestess. It must be farther remarked, that *Menelaus* was the virgin's uncle, and *Calchas* the priest who was to officiate at this horrid sacrifice.

managed, some in one manner, and some in another.

23 We must now proceed to delineate the form and character of each of the three species of eloquence above-mentioned; a great and an arduous task, as I have already observed more than once; But we should have considered the difficulty of the voyage before we embarked: for now we have ventured to set sail, we must run boldly before the wind, whether we reach our port or not. The first character, then, to be described, is the orator who, according to some, is the only one that has any just pretensions to *Atticism*. He is distinguished by his modest simplicity; and as he imitates the language of conversation, he differs from those who are strangers to eloquence, rather in reality than in appearance.— For this reason, those who hear him, though

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totally unskilled in the art of speaking, are apt to persuade themselves that they can readily discourse in the same manner;^b—and

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^b There is a pretty remark to the same purpose in the fifteenth number of *The Guardian*, which, as it may serve to illustrate the observation of Cicero, I shall beg leave to insert.

“ From what I have advanced, it appears how difficult it

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the unaffected simplicity of his language appears very imitable to an ignorant observer; though nothing will be found less so by him who makes the trial. For, if I may so express myself, though his veins are not over-stocked with blood, his juices must be sound and good; and though he is not possessed of any extraordinary strength, he must have a healthy constitution. For this purpose, we must first release him from the shackles of *number*; for there is (you know) a kind of *number* to be observed by an orator, which we shall treat of in the sequel:—but this is to be used in a different species of eloquence, and to be relinquished in the present.

“ it is to write *easily*. But when easy writings fall into the hands of an ordinary reader, they appear to him so natural and unlaboured, that he immediately resolves to write, and fancies that all he has to do is to take no pains.— Thus he thinks indeed simply, but the thoughts not being chosen with judgment, are not beautiful. He, it is true, expresses himself plainly, but flatly withal. Again, if a man of vivacity takes it into his head to write this way, what self-denial must he undergo, when bright points of wit occur to his fancy? How difficult will he find it to reject florid phrases, and pretty embellishments of style? So true it is, that simplicity of all things is the hardest to be copied, and ease to be acquired with the greatest labour.”

present. His language, therefore, must be free and unconfined, but not loose and irregular; that he may appear to walk at ease, without reeling or tottering. He will not be at the pains to cement word to word with a scrupulous exactness: for those breaks which are made by a collision of vowels, have now and then an agreeable effect, and betray the not displeasing negligence of a man who is more solicitous about things than words. But though he is not to labour at a measured flow, and a masterly arrangement of his words, he must be careful in other respects. For even these limited and un- aspiring talents are not to be employed carelessly, but with a kind of industrious negligence: for as some females are most becoming in a dishabille, so this artless kind of eloquence has her charms, though she appears in an undress. There is something in both which renders them agreeable, without striking the eye. Here, therefore, all the glitter of ornament, like that of jewels and diamonds, must be laid aside; nor must we apply even the crimping-iron to adjust the hair. There must be no colouring, no artful washes to heighten the complexion: but elegance and neatness must be our only aim. Our style must be pure, and correct;—we must speak

speaking with clearness and perspicuity;—and be always attentive to appear in character.

24 There is one thing, however, which must never be omitted, and which is reckoned by Theophrastus to be one of the chief beauties of composition; I mean that sweet and flowing ornament, a plentiful intermixture of lively sentiments, which seem to result from a natural fund of good sense, and are peculiarly graceful in the orator we are now describing. But he will be very moderate in using the *furniture* of eloquence: for (if I may be allowed such an expression) there is a species of furniture belonging to us, which consists in the various ornaments of sentiment and language. The ornaments of language are two-fold; the one sort relates to words as they stand singly, and the other as they are connected together. A *single* word (I speak of those which are *proper*, and in common use) is then said to be well chosen, when it sounds agreeably, and is the best which could have been taken to express our meaning. Among borrowed and *translation*^c words, (or those which are not used in their proper sense) we may reckon the metaphor, the metonymy, and the rest of the tropes;

as

* Words which are transferred from their primitive meaning to a metaphorical one.

as also compounded and new-made words, and such as are obsolete and out of date; but obsolete words should rather be considered as proper ones, with this only difference, that we seldom make use of them. As to words in connection, these also may be considered as ornamental, when they have a certain gracefulness which would be destroyed by changing their order, though the meaning would still remain the same. For as to the ornaments of sentiment, which lose nothing of their beauty, by varying the position of the words,—these, indeed, are very numerous, though only a few of them are remarkably striking. The orator, then, who is distinguished by the simplicity of his manner, provided he is correct and elegant, will be sparing in the use of new words; easy and modest in his metaphors; and very sparing in the use of words which are antiquated;—and as to the other ornaments of language and sentiment, here also he will be equally plain and reserved. But in the use of metaphors, he will, perhaps, take greater liberties; because these are frequently introduced in conversation, not only by gentlemen, but even by rustics, and peasants: for we often hear them say that the vine *shoots out* its buds, that the fields are *thirsty*, the corn *lively*, and the grain *rich* and flourishing.

Such

Such expressions, indeed, are rather bold : but the resemblance between the metaphor and the object is either remarkably obvious ; or else, when the latter has no proper name to express it, the metaphor is so far from appearing to be laboured, that we seem to use it merely to explain our meaning. This, therefore, is an ornament in which our artless orator may indulge himself more freely ; but not so openly as in the more diffusive and lofty species of eloquence.

15 For that *indecorum*, which is best understood by comparing it with its opposite quality, will even here be visible when a metaphor is too conspicuous ;—or when this simple and dispassionate sort of language is interrupted by a bold ornament, which would have been proper enough in a different kind of elocution. As to that sort of ornament which regards the position of words, and embellishes it with those studied graces, which are considered by the Greeks as so many *attitudes* of language, and are therefore called *figures*, (a name which is likewise extended to the flowers of sentiment ;)—the orator before us, who may justly be regarded as an *Attic* speaker, provided the title is not confined to him, will make use even of *this*, though with great caution and moderation. He will conduct himself as if he was
setting

setting out an entertainment, and while he carefully avoids a splendid magnificence, he will not only be plain and frugal, but neat and elegant, and make his choice accordingly. For there is a kind of genteel parsimony, by which his character is distinguished from that of others. He will, therefore, avoid the more conspicuous ornaments above-mentioned, such as the contrasting word to word,—the concluding the several members of a sentence with the same cadence, or confining them to the same measure,—and all the studied niceties which are formed by the change of a letter, or an artful play of words ;—that, if possible, there may not be the slightest appearance, or even suspicion, of a design to please. As to those repetitions which require an earnest and forcible exertion of the voice, these also would be equally out of character in this lower species of eloquence : but he may use the other ornaments of elocution at his pleasure, provided he checks and interrupts the flow of his language, and softens it off by using familiar expressions, and such metaphors as are plain and obvious. Nay, even as to the figures of sentiment, he may sometimes indulge himself in those which are not remarkably bold and striking. Thus, for instance, we must not
allow

allow him to introduce the republic as speaking, nor to fetch up the dead from their graves, nor to crowd a multitude of ideas into the same period. These efforts demand a firmer constitution, and should be neither required nor expected from the simple orator before us; for as in his voice, so likewise in his language, he should be ever easy and composed. But there are many of the nobler ornaments which may be admitted even here, though always in a plainer and more artless habit than in any other species of eloquence; for such is the character we have assigned him. His gesture also will be neither pompous, nor theatrical, but consist in a moderate and easy sway of the body, and derive much of its efficacy from the countenance,—not a stiff and affected countenance, but a countenance ingenuously corresponding with his sentiments.

26 This kind of oratory will likewise be frequently enlivened by those turns of wit and pleasantry, which in speaking have a much greater effect than is imagined. There are two sorts of them; the one consisting in smart sayings and quick repartees, and the other in what is called *humour*. Our orator will make use of both;—of the latter in his narratives, to make

make them lively and entertaining;—and of the other, either in giving or retorting a stroke of ridicule, of which there are several kinds; but at present it is not our business to specify them. It will not be amiss, however, to observe by way of caution, that the powers of *ridicule* are not to be employed too often, lest we sink into scurrility; nor in loose and indecent language, lest we degenerate into wantonness and buffoonery;—nor with the least degree of petulance and abuse, lest we appear audacious and ill-bred;—nor levelled against the unfortunate, lest we incur the censure of inhumanity;—nor against atrocious crimes, lest we raise a laugh where we ought to excite abhorrence;—nor, in the last place, should they be used unseasonably, or when the characters either of the speaker, or the hearer, and the circumstances of time and place forbid it;—otherwise we should grossly fail in that decorum of which we have already said so much. We should likewise avoid all affected witticisms, which appear not to be thrown out occasionally, but to be dragged from the closet; for such are generally cold and insipid. It is also improper to jest upon our friends, or upon persons of quality, or to give any strokes of wit which

which may appear ill-natured, or malicious. We should aim only at our enemies; and even at these, not upon every occasion, or without any distinction of character, or with the same invariable turn of ridicule. Under these restrictions our artless orator will play off his wit and humour, as I have never seen it done by any of the modern pretenders to Atticism, though they cannot deny that this is entirely in the Attic taste. Such, then, is the idea which I formed of a *simple and an easy speaker*, who is likewise a very masterly one, and a genuine Athenian; for whatever is smart and pertinent is unquestionably Attic, though some of the Attic speakers were not remarkable for their wit. *Lysias*, indeed, and *Hyperides* were sufficiently so; and *Demades*, it is said, was more so than all the others. Demosthenes, however, is thought by many to have but little merit of the kind; but to me nothing can be more polished than he is; though, perhaps, he was rather lively than humorous. The one requires a quicker genius, but the other more art and address. But there is a *second character* which is more diffusive, and somewhat stronger than the simple and artless one we have been describing,—though considerably inferior to that

copious

copious and all-commanding eloquence we shall notice in the sequel. In *this*, though there is but a moderate exertion of the nerves and sinews of oratory, there is abundance of melody and sweetness. It is much fuller and richer than the close and accurate style above-mentioned; but less elevated than the pompous and diffusive.

27 In *this* all the ornaments of language may be employed without reserve; and *here* the flow of our numbers is ever soft and harmonious.—Many of the Greeks have pursued it with success: but, in my opinion, they must all yield the palm to *Demetrius Phalereus*, whose eloquence is ever mild and placid, and bespangled with a most elegant variety of metaphors and other tropes, like so many *stars*. By *metaphors*, as I have frequently observed, I mean expressions which, either for the sake of ornament, or through the natural poverty of our language, are removed, and as it were *transplanted* from their proper objects to others, by way of similitude. As to *tropes* in general, they are particular forms of expression, in which the proper name of a thing is supplied by another, which conveys the same meaning, but is borrowed from its adjuncts or effects: for, though, in

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this case, there is a kind of metaphor, (because the word is shifted from its primary object) yet the remove is performed by *Ennius* in a different manner, when he says metaphorically, —*You bereave the citadel and the city of their offspring*,—from what it would have been, if he had put the citadel alone for the whole state: and thus again, when he tells us that, —*rugged Africa was shaken by a dreadful tumult*,—he puts Africa for the inhabitants. The rhetoricians call this an *Hypallage*, because one word is substituted for another: but the grammarians call it a *Metonymy*, because the words are shifted and interchanged.—Aristotle, however, subjoins it to the metaphor, as he likewise does the *Abuse* or *Catachresis*; by which, for instance, we say a *narrow, contracted soul*, instead of a *mean* one, and thus steal an expression which has a kindred meaning with the proper one, either for the sake of ornament or decency. When several metaphors are connected together in a regular chain, the form of speaking is varied. The Greeks call this an *Allegory*, which indeed is proper enough if we only attend to the etymology; but if we mean to refer to its particular *genus* or kind, he has done better who comprehends the whole under the general name

name of metaphors. These, however, are frequently used by *Phalereus*, and have a soft and pleasing effect: but though he abounds in the metaphor, he also makes use of the other tropes with as much freedom as any writer whatever. This species of eloquence (I mean the *middling*, or temperate) is likewise embellished with all the brilliant figures of language, and many of the figures of sentiment. By this, moreover, the most extensive and refined topics of science are handsomely unfolded, and all the weapons of argument are employed without violence. But what need have I to say more? Such speakers are the common offspring of philosophy; and were the nervous, and more striking orator to keep out of sight, these alone would fully answer our wishes. For they are masters of a brilliant, a florid, a picturesque, and a well-wrought elocution, which is interwoven with all the beautiful embroidery both of language and sentiment. This character first streamed from the limpid fountains of the *Sophists* into the forum: but being afterwards despised by the more simple and refined kind of speakers, and disdainfully rejected by the nervous and weighty; it was compelled to subside into the peaceful and unassuming mediocrity we are speaking of.

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The

28 The *third character* is the extensive,—the copious,—the nervous,—the majestic orator, who possesses the powers of elocution in their full extent. *This* is the man whose enchanting and diffusive language is so much admired by listening nations, that they have tamely suffered eloquence to rule the world;—but an eloquence whose course is rapid and sonorous!—an eloquence which every one gazes at, and admires, and despairs to equal! *This* is the eloquence that bends and sways the passions!—*this* is the eloquence that alarms or soothes them at her pleasure! *This* is the eloquence that sometimes tears up all before it like a whirlwind; and, at other times, steals imperceptibly upon the senses, and probes to the bottom of the heart!—the eloquence which ingrafts opinions that are new, and eradicates the old; but yet is widely different from the two characters of speaking before-mentioned. He who exerts himself in the simple and accurate character, and speaks neatly and smartly without aiming any higher!—*he*, by this alone, if carried to perfection, becomes a great, if not the greatest of orators; nor does he walk upon slippery ground, so that if he has but learned to tread firm, he is in no danger of falling. Also the middle

middle kind of orator, who is distinguished by his equability, provided he only draws up his forces to advantage, fears not the perilous and doubtful hazards of a public harangue; and, though sometimes he may not succeed to his wishes, yet he is never exposed to an absolute defeat; for as he never soars, his fall must be inconsiderable. But the orator, whom we regard as the prince of his profession,—the nervous,—the impetuous,—the flaming orator, if he is born for this alone, and only practises and applies himself to this, without tempering his copiousness with the two inferior characters of eloquence, is of all others the most contemptible. For the plain and simple orator, as speaking acutely and expertly, has an appearance of wisdom and good-sense; and the middle kind of orator is sufficiently recommended by his sweetness:—but the copious and diffusive speaker, if he has no other qualification, will scarcely appear to be in his senses. For he who can say nothing calmly,—nothing gently,—nothing methodically,—nothing clearly, distinctly, or humorously, (though a number of causes should be so managed throughout, and others in one or more of their parts:) he, moreover, who proceeds to amplify and exaggerate

without preparing the attention of his audience, will appear to rave before men of understanding, and to vapour like a person intoxicated before the sober and sedate.

Thus then, my Brutus, we have at last discovered the finished orator we are seeking for: but we have caught him in imagination only;—for if I could have seized him with my hands, not all his eloquence should persuade me to release him. We have at length, however, discovered the eloquent speaker whom Antonius never saw. But who, then, is he?—I will comprize his character in a few words, and afterwards unfold it more at large.—He, then, is an orator indeed! who can speak upon trivial subjects with simplicity and art, upon weighty ones with energy and pathos, and upon those of middling import with calmness and moderation. You will tell me, perhaps, that such a speaker has never existed. Be it so:—for I am now discoursing not upon what I *have* seen, but upon what I could *wish* to see; and must therefore recur to that primary semblance or ideal form of Plato which I have mentioned before, and which, though it cannot be seen with our bodily eyes, may be comprehended by the powers of imagination. For I am not seeking

seeking after a living orator, or after any thing which is mortal and perishing, but after that which confers a right to the title of *eloquent*; in other words, I am seeking after eloquence herself, who can be discerned only by the eye ^{multis nisi} of the mind. He then is truly an *orator*, (I ^{mentis, oculis} ~~leo~~ again repeat it,) who can speak upon trivial subjects with simplicity, upon indifferent ones with moderation, and upon weighty subjects with energy and pathos.* The cause I pleaded for Cæcina related entirely to the bare letter of the interdict: here, therefore, I explained what was intricate by a definition,—spoke in praise of the civil law,—and dissolved the ambiguities which embarrassed the mean-

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* Our author is now going to indulge himself in the *Egotism*; a figure, which, upon many occasions, he uses as freely as any of the figures of rhetoric. How the reader will relish it, I know not; but it is evident from what follows, and from another passage of the same kind further on, that Cicero had as great a veneration for his own talents as any man living. His merit, however, was so uncommon both as a statesman, a philosopher, and an *orator*, and he has obliged posterity with so many useful and amazing productions of genius, that we ought in gratitude to forgive the vanity of the *man*. Although he has ornamented the socket in which he has *set* his character, with an extravagant (and I had almost said ridiculous) profusion of self-applause, it must be remembered that the diamond it contains is a gem of inestimable value.

ing of the statute.—In recommending the Manilian law, I was to blazon the character of *Pompey*, and therefore indulged myself in all that variety of ornament which is peculiar to the second species of eloquence. In the cause of Rabirius, as the honour of the republic was at stake, I blazed forth in every species of amplification. But these characters are sometimes to be intermingled and diversified. Which of them, therefore, is not to be met with in my seven invectives against Verres? or in the cause of Habitus? or in that of Cornelius? or indeed in most of my defences? I would have specified the particular examples, did I not believe them to be sufficiently known; or, at least, very easy to be discovered by those who will take the trouble to seek for them. For there is nothing which can recommend an orator in the different characters of speaking, but what has been exemplified in my orations,—if not to perfection, yet at least it has been attempted, and faintly delineated. I have not, indeed, the vanity to think I have arrived at the summit; but I can easily discern what eloquence ought to be. For I am not to speak of myself, but to attend to my subject; and so far am I from admiring my own productions, that, on the contrary, I am so nice and difficult, as not to be entirely

entirely satisfied with Demosthenes himself, who, though he rises with superior eminence in every species of eloquence, does not always fill my ear;—so eager is it, and so insatiable, as to be ever coveting what is boundless and immense.

3^a But as, by the assistance of Pammenes, who is very fond of that orator, you made yourself thoroughly acquainted with him when you was at Athens, and to this day scarcely ever part with him from your hands, and yet frequently condescend to peruse what has been written by *me*; you must certainly have taken notice that he hath *done* much, and that I have *attempted* much,—that he has been *happy* enough, and I *willing* enough to speak, upon every occasion, as the nature of the subject required. But he, beyond dispute, was a consummate orator; for he not only succeeded several eminent speakers, but had many such for his contemporaries:—and I also, if I could have reached the perfection I aimed at, should have made no despicable figure in a city, where (according to Antonius) the voice of genuine eloquence was never heard. But if to Antonius neither Crassus, nor even himself, appeared to be *eloquent*, we may presume that neither Cotta, Sulpicius, nor

nor Hortensius would have succeeded any better. For Cotta had no expansion, Sulpicius no temper, and Hortensius too little dignity. But the two former (I mean Crassus and Antonius) had a capacity which was better adapted to every species of oratory. I had, therefore, to address myself to the ears of a city which had never been filled by that multifarious and extensive eloquence we are discoursing of; and I first allured them (let me have been what you please, or whatever were my talents) to an incredible desire of hearing the finished speaker who is the subject of the present Essay. For with what acclamations did I deliver that passage in my youth concerning the punishment of parricides,* though I was afterwards sensible it was too warm and extravagant? "What is so common, said I, as air to the living, earth to the dead, the sea to floating corpses, and the shore to those who are cast upon it by the waves? But these wretches, as long as life remains,

* Those unnatural and infamous wretches, among the Romans, were sown into a leathern sack, and thus thrown into the sea; to intimate that they were unworthy of having the least communication with the common elements of water, earth, and air.

mains, so live as not to breathe the air of heaven;—they so perish, that their limbs are not suffered to touch the earth;—they are so tossed to and fro by the waves, as never to be washed by them;—and when they are cast on the shore, their dead carcases cannot rest upon the surface of the rocks!" All this, as coming from a youth, was much applauded, not for its ripeness and solidity, but for the hopes it gave the public of my future improvement. From the same capacity came those riper expressions, "She was the spouse of her son-in-law, the step-mother of her own offspring, and the mistress of her daughter's husband[†]." But I did not always indulge myself in this excessive ardour of expression, or speak every thing in the same manner: for even that youthful redundancy which was so visible in the defence of Roscius, had many passages which were plain and simple, and some which were tolerably humorous. But the orations in defence of Habitus and Cornelius, and indeed many others; (for no single orator, even among the peaceful

[†] This passage occurs in the peroration of his defence of Cluentius.

peaceful and speculative Athenians, has composed such a number as I have ;)—these, I say, have all that variety which I so much approve.

For have Homer and Ennius, and the rest of the poets, but especially the tragic writers, not expressed themselves at all times with the same elevation, but frequently varied their manner, and sometimes lowered it to the style of conversation ; and shall I oblige myself never to descend from that highest energy of language ? But why do I mention the poets whose talents are divine ! The very actors on the stage, who have most excelled in their profession, have not only succeeded in very different characters, though still in the same province ; but a comedian has often acted tragedies, and a tragedian comedies, so as to give us universal satisfaction. Wherefore, then, should not *I* also exert my efforts ? But when I say *myself*, my worthy Brutus, I mean *you* : for as to *me*, I have already done all I was capable of doing. Would *you*, then, plead every cause in the same manner ? Or is there any sort of causes which your genius would decline ? Or even in the same cause, would you always express yourself in the same strain, and without any variety ? Your favourite Demosthenes, whose
brazen

brazen statue I lately beheld among your own, and your family images, when I had the pleasure to visit you at Tusculanum,—Demosthenes, I say, was nothing inferior to Lysias in simplicity, to Hyperides in smartness and poignancy, or to Æschines in the smoothness and splendor of his language. There are many of his orations which are entirely of the close and simple character, as that against Leptines ; many which are all nervous, and striking, as those against Philip ; and many which are of a mixed character, as that against Æschines, concerning the false embassy, and another against the same person in defence of Ctesiphon. At other times he strikes into the *mean* at his pleasure, and quitting the nervous character, descends to this with all the ease imaginable. But he raises the acclamations of his audience, and his oratory is then most weighty and powerful, when he applies himself to the *nervous*. But as our enquiries relate to the art, and not to the artist, let us leave *him* for the present, and consider the nature and the properties of the object before us,—that is, of *eloquence*. We must keep in mind, however, what I have already hinted,—that we are not required to deliver a system of precepts, but to
write

write as judges and critics, rather than teachers. But I have expatiated so largely upon the subject, because I foresee that you (who are, indeed, much better versed in it, than I who pretend to inform you) will not be my only reader; but that my little essay, though not much perhaps to my credit, will be made public, and with your name prefixed to it.

32 I am of opinion, therefore, that a finished orator should not only possess the talent (which, indeed, is peculiar to himself) of speaking copiously and diffusively: but that he should also borrow the assistance of its nearest neighbour, the art of *Logic*. For though public speaking is one thing, and disputing another; and though there is a visible difference between a private controversy, and a public harangue; yet both the one and the other come under the notion of reasoning. But mere discourse and argument belongs to the logician, and the art of speaking gracefully and ornamentally is the prerogative of the orator. Zeno, the father of the Stoics, used to illustrate the difference between the two by holding up his hand;—for when he clenched his fingers, and presented a close fist, *that*, he said, was an emblem of logic: but when he spread them out again, and displayed

played his open hand, this, said he, resembles eloquence. But Aristotle observed before him, in the introduction to his Rhetoric, that it is an art which has a near resemblance to that of logic;—and that the only difference between them is, that the method of reasoning in the former is more diffusive, and in the latter more close and contracted. I, therefore, advise that our finished orator make himself master of every thing in the art of logic, which is applicable to his profession:—an art (as your thorough knowledge of it has already informed you) which is taught after two methods. For Aristotle himself has delivered a variety of precepts concerning the art of reasoning:—and besides these, the *logicians*, as they are called, have produced many intricate and thorny speculations of their own. I am, therefore, of opinion, that he who is ambitious to be applauded for his eloquence, should not be wholly unacquainted with this branch of erudition; but that he ought, at least, to be properly instructed, either in the old method, or in that of Chrysippus. In the first place, he should understand the force, the extension, and the different species of words as they stand singly, or connected into sentences. He should likewise be

acquainted with the various modes and forms in which any conception of the mind may be expressed;—the methods of distinguishing a true proposition from a false one;—the different conclusions which result from different premises;—the true consequences and opposites to any given proposition;—and, if an argument is embarrassed by ambiguities, how to unravel each of them by an accurate distinction. These particulars, I say, should be well understood by an orator, because they are such as frequently occur; but as they are naturally rugged and unpleasing, they should be relieved in practice by an easy brilliance of expression.

of off. 1, 2. 33 But as in every topic which is discussed by reason and method, we should first settle what it is we are to discourse upon,—(for unless the parties in a dispute are agreed upon the subject of it, they can neither reason with propriety, nor bring the argument to an issue;—it will frequently be necessary to explain our notions of it, and, when the matter is intricate, to lay it open by a *definition*;—for a *definition* is only a sentence, or explanation, which specifies, in as few words as possible, the nature of the object we propose to consider. After the *genus*, or kind, has been sufficiently determined, we must

then proceed (you know) to examine its different species, or subordinate parts, that our whole discourse may be properly distributed among them. Our orator, then, should be qualified to make a just definition;—though not in such a close and contracted form, as in the critical debates of the academy, but more explicitly and copiously, and as will be best adapted to the common way of thinking, and the capacity of the vulgar. He is likewise, as often as occasion requires, to divide the genus into its proper species, so as to be neither defective, nor redundant. But *how* and *when* this should be done, is not our present business to consider: because, as I observed before, I am not to assume the part of a teacher, but only of a critic, and a judge. But he ought to acquaint himself not only with the art of logic, but with all the common and most useful branches of morality. For without a competent knowledge of these, nothing can be advanced and unfolded with any spirit and energy, or with becoming dignity and freedom either concerning religion,—death,—filial piety,—the love of our country,—things, good or evil,—the several virtues and vices,—the nature of moral obligation,—grief or pleasure, and the other emotions of the mind,—or the various

errors and frailties of humanity,—and a variety of important topics which are often closely connected with forensic causes; though *here* (it is true) they must be touched upon more slightly and superficially. I am now speaking of the *materials* of eloquence, and not of the *art* itself:—for an orator should always be furnished with a plentiful stock of sentiments,—(I mean such as may claim the attention of the learned, as well as of the vulgar)—before he concerns himself about the language and the manner in which he ought to express himself.

That he may make a still more respectable and elevated figure (as we have already observed of Pericles) he should not be unacquainted with the principles of natural philosophy. For when he descends, as it were, from the starry heavens, to the little concerns of humanity, he will both think and speak with greater dignity and splendor. But after acquainting himself with those divine and nobler objects of contemplation, I would have him attend to human concerns. In particular, let him make himself master of the *civil law*, which is of daily, and indeed necessary use in every kind of causes. For what can be more scandalous, than to undertake the management of judicial suits and

controversies, without a proper knowledge of the laws, and of the principles of equity and judisprudence? He should also be well versed in history and the venerable records of antiquity, but particularly those of his own country: not neglecting, however, to peruse the annals of other powerful nations, and illustrious monarchs;—a toil which has been considerably shortened by our friend Atticus, who (though he has carefully specified the time of every event, and omitted no transaction of consequence) has comprized the history of seven hundred years in a single volume. To be unacquainted with what has passed in the world, before we came into it ourselves, is to be always children. For what is the age of a single mortal, unless it is connected, by the aid of history, with the times of our ancestors? Besides, the relation of past occurrences, and the producing pertinent and striking examples, is not only very entertaining, but adds a great deal of dignity and weight to what we say. Thus furnished and equipped, our orator may undertake the management of causes. But in the first place, he should be well acquainted with their different kinds. He should know, for instance, that every judicial controversy must

turn either upon a matter of *fact*, or upon the meaning of some particular expression. As to the former, this must always relate either to the *reality* of a fact, the *equity* of it, or the *name* it bears in law. As to forms of expression, these may become the subject of controversy, when they are either *ambiguous*, or *contradictory*. For when the *spirit* of a law appears to be at variance with the *letter* of it, this must cause an ambiguity which commonly arises from some of the preceding terms: so that in this case (for such is the nature of an ambiguity) the law will appear to have a double
 36 meaning. As the kinds of causes are so few, the rules for the invention of arguments must be few also. The topics or common places from which those arguments are derived, are twofold,—the one *inherent* in the subject, and the other *assumptive*. A skilful management of the former contributes most to give weight to a discourse, and strike the attention of the hearer: because they are easy, and familiar to the understanding.

What farther remains (within the province of the art) but that we should begin our discourses so as to conciliate the hearer's good-will, or raise his expectation, or prepare him to receive what

what follows?—to state the case before us so concisely, and yet so plausibly and clearly, as that the substance of it may be easily comprehended?—to support our own proofs, and refute those of our antagonist, not in a confused and disorderly manner, but so that every inference may be fairly deducible from the premises?—and, in the last place, to conclude the whole with a peroration either to inflame or allay the passions of the audience? How each of these parts should be conducted is a subject too intricate and extensive for our present consideration: for they are not always to be managed in the same manner. But as I am not seeking a pupil to instruct, but an orator who is to be the model of his profession, *he* must have the preference who can always discern what is proper and becoming. For eloquence should, above all things, have that kind of discretion which makes her a *perfect mistress of time and character*: because we are not to speak upon every occasion, or before every audience, or against every opponent, or in defence of every client, and to every judge, in the same invariable manner.

36 *He, therefore, is the man of genuine eloquence, who can adapt his language to what*

is most suitable to each. By doing this, he will be sure to say every thing as it *ought* to be said. He will neither speak drily upon copious subjects, nor without dignity and spirit upon things of importance; but his language will always be proportioned, and equal to his subject. His introduction will be modest,—not flaming with all the glare of expression, but composed of quick and lively turns of sentiment, either to wound the cause of his antagonist, or recommend his own. His narratives will be clear and plausible,—not delivered with the grave formality of an historian, but in the style of polite conversation. If his cause be slight, the thread of his argument, both in proving and refuting, will be so likewise, and he will so conduct it in every part, that his language may rise and expand itself, as the dignity of his subject increases. But when his cause will admit a full exertion of the powers of eloquence, he will then display himself more openly;—he will then rule and bend the passions, and direct them at his pleasure,—that is, as the nature of his cause, and the circumstances of the time shall require. But his powers of ornament will be chiefly exerted upon two occasions; I mean that striking kind

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of ornament, from which eloquence derives her greatest glory. For though every part of an oration should have so much merit, as not to contain a single word but what is either weighty or elegant; there are two very interesting parts which are susceptible of the greatest variety of ornament. The one is the discussion of an indefinite question, or general truth, which by the Greeks (as I have before observed) is called a *thesis*: and the other is employed in amplifying and exaggerating, which they call *amplification*. Though the latter, indeed, should diffuse itself more or less through the whole body of a discourse, its powers will be more conspicuous in the use and improvement of the *common places*;—which are so called, as being alike *common* to a number of causes, though (in the application of them) they are constantly appropriated to a single one. But as to the other part, which regards universal truths, or indefinite questions, this frequently extends through a whole cause:—for the leading point in debate, or that which the controversy hinges upon, is always most conveniently discussed when it can be reduced to a general question, and considered as an universal proposition:—unless, indeed, when

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the mere truth of a matter of fact is the object of disquisition: for then the case must be wholly *conjectural*. We are not, however, to argue like the *Peripatetics* (who have a neat method of controversy which they derive from *Aristotle*) but more nervously and pressingly; and general sentiments must be so applied to particular cases, as to leave us room to say many extenuating things in behalf of the defendant, and many severe ones against the plaintiff. But in heightening or softening a circumstance, the powers of language are unlimited and may be properly exerted, even in the middle of an argument, as often as any thing presents itself which may be either exaggerated, or extenuated; but, in the peroration, I had almost said without control.

37 There are two parts, however, which must not be omitted;—for when these are judiciously conducted, the force of eloquence will be amazing. The one is a certain *propriety of manner* (called the *moral* by the Greeks) which readily adapts itself to different dispositions and humours, and to every station of life:—and the other is the *pathetic*, which rouses and alarms the passions, and may be considered as the *sceptre* of eloquence. The former

former is mild and insinuating, and entirely calculated to conciliate the good-will of the hearer: but the latter is all energy and fire, and snatches a cause by open violence;—and when its course is rapid and unrestrained, the shock is irresistible. I^s myself have possessed a tolerable share of this, or, it may be, a trifling one:—but as I always spoke with uncommon warmth and impetuosity, I have frequently forced my antagonist to relinquish the field. *Hortensius*, an eminent speaker, once declined to answer me, though in defence of an intimate friend. *Catiline*, a most audacious traitor, being publicly accused by me in the Senate-house, was struck dumb with shame; and *Curio*, the father, when he attempted to reply to me in a weighty and important cause which concerned the honour of his family, sat suddenly down, and complained that I had bewitched him out of his memory. As to moving the pity of my audience, it will be unnecessary to mention this. I have frequently attempted it with good success, and when several

* Here follows the second passage above referred to, in which there is a long string of *Egotisms*. But as they furnish some very instructive hints, the reader will peruse them with more pleasure than pain.

veral of us have pleaded on the same side, this part of the defence was always resigned to me; in which my supposed excellence was not owing to the superiority of my genius, but to the real concern I felt for the distresses of my client. But what in this respect have been my talents (for I have had no reason to complain of them) may be easily discovered in my orations:—though a book, indeed, must lose much of the spirit which makes a speech delivered in public appear to greater advantage than when it is perused in the closet.

§ But we are to raise not only the pity of our judges, (which I have endeavoured so passionately, that I once took up an infant in my arms while I was speaking;—and, at another time, calling up the nobleman in whose defence I spoke, and holding up a little child of his before the whole assembly, I filled the forum with my cries and lamentations:)—but it is also necessary to rouse the judge's indignation, to appease it, to excite his jealousy, his benevolence, his contempt, his wonder, his abhorrence, his love, his desire, his aversion, his hope, his fear, his joy, and his grief:—in all which variety, you may find examples, in many accusatory speeches, of rousing the harsher passions;

passions; and my defences will furnish instances enough of the methods of working upon the gentler. For there is no method either of alarming or soothing the passions, but what has been attempted by me. I would say I have carried it to perfection, if I either thought so, or was not afraid that (in this case) even truth itself might incur the charge of arrogance. ✓ But (as I have before observed) I have been so much transported, not by the force of my genius, but by the real fervor of my heart, that I was unable to restrain myself:—and, indeed, no language will inflame the mind of the hearer, unless the speaker himself first catches the ardor, and glows with the importance of his subject. I would refer to examples of my own, unless you had seen them already; and to those of other speakers among the Romans, if I could produce any, or among the Greeks, if I judged it proper. But Crassus will only furnish us with a few, and those not of the forensic kind:—Antonius, Cotta, and Sulpicius with none:—and as to Hortensius, he spoke much better than he wrote. We may, therefore, easily judge how amazing must be the force of a talent, of which we have so few examples:—but if we are resolved to seek for

for them, we must have recourse to Demosthenes, in whom we find almost a continued succession of them, in that part of his oration for Ctesiphon, where he enlarges on his own actions, his measures, and his good services to the state. For that oration, I must own, approaches so near to the primary form or semblance of eloquence which exists in my mind, that a more complete and
 39 exalted pattern is scarcely desirable. But still, there will remain a general model or character, the true nature and excellence of which may be easily collected from the hints I have already offered.

We have slightly touched upon the ornaments of language, both in single words, and in words as they stand connected with each other;—in which our orator will so indulge himself, that not a single expression may escape him, but what is either elegant or weighty. But he will most abound in the *metaphor*; which, by an aptness of similitude, conveys and transports the mind from object to object, and hurries it backwards and forwards through a pleasing variety of images;—a motion which, in its own nature, (as being full of life and action) can never fail to be highly delightful. As
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to the other ornaments of language which regard words as they are connected with each other, an oration will derive much of its lustre from these. They are like the decorations in the theatre, or the forum, which not only embellish, but surprise.^a For such also is the effect of the various *figures* or decorations of language;—such as the doubling or repetition of the same word;—the repeating it with a slight variation;—the beginning or concluding several sentences in the same manner, or both at once;—the making a word, which concludes a preceding sentence, to begin the following;—the concluding a sentence with the same expression which began it;—the repeating the same word with a different meaning;—the using several corresponding words in the same case, or with the same termination;—the contrasting opposite expressions;—the using words whose meaning rises in gradation;—the leaving out the conjunctive particles to shew our earnestness;—
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^a In the following abstract of the figures of *language* and *sentiment*, I have often paraphrased upon my author, to make him intelligible to the English reader;—a liberty which I have likewise taken in several other places, where I judged it necessary.

the passing by, or suddenly dropping a circumstance we were going to mention, and assigning a reason for so doing¹;—the pretending to correct or reprove ourselves, that we may seem to speak without artifice or partiality;—the breaking out into a sudden exclamation, to express our wonder, our abhorrence, or our grief;—and the using the same noun in different cases. But the figures of *sentiment* are more weighty and powerful; and there are some who place the highest merit of Demosthenes in the frequent use he makes of them. For be his subject what it will, almost all his sentences have a figurative air: and, indeed, a plentiful intermixture of this sort of figures is the very life and soul of a popular eloquence. But as you are thoroughly acquainted with these, my Brutus, what occasion is there to explain and exemplify them? The bare mention of them will be sufficient.

Our orator, then, will sometimes exhibit an idea

¹ We have an instance of this, considered as a figure of language; in the following line of Virgil;

Quos ego—, sed præstat motos componere fluctus

ÆNEID. I.

Whom I—, but let me still the raging waves.

This may likewise serve as an example of the figure which is next mentioned,

idea in different points of view, and when he has started a good argument, he will dwell upon it with an honest exultation;—he will extenuate what is unfavourable, and have frequent recourse to raillery;—he will sometimes deviate from his plan, and seem to alter his first purpose:—he will inform his audience beforehand, what are the principal points upon which he intends to rest his cause;—he will collect and point out the force of the arguments he has already discussed; he will check an ardent expression, or boldly reiterate what he has said;—he will close a lively paragraph with some weighty and convincing sentiment;—he will press upon his adversary by repeated interrogations;—he will reason with himself, and answer questions of his own proposing;—he will throw out expressions which he designs to be otherwise understood than they seem to mean;—he will pretend to doubt what is most proper to be said, and in what order;—he will divide an action, &c. into its several parts and circumstances, to render it more striking;—he will pretend to pass over and relinquish a circumstance which might have been urged to advantage;—he will secure himself against the known prejudices of his audience;—he will turn the very circumstance which is alledged against

against him to the prejudice of his antagonist;—he will frequently appeal to his hearers, and sometimes to his opponent;—he will represent the very language and manners of the persons he is speaking of;—he will introduce irrational and even inanimate beings, as addressing themselves to his audience;—he will (to serve some necessary purpose) steal off their attention from the point in debate;—he will frequently move them to mirth and laughter;—he will answer every thing which he foresees will be objected;—he will compare similar incidents,—refer to past examples,—and by way of amplification assign their distinguishing qualities to opposite characters and circumstances;—he will check an impertinent plea which may interrupt his argument;—he will pretend not to mention what he might have urged to good purpose;—he will caution his hearers against the various artifices and subterfuges which may be employed to deceive them;—he will sometimes appear to speak with an honest, but unguarded freedom;—he will avow his resentment;—he will entreat;—he will earnestly supplicate;—he will apologize;—he will seem for a moment to forget himself;—he will express his hearty good wishes for the deserving, and
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vent his execrations against notorious villany;—and now and then he will descend imperceptibly to the most tender and insinuating familiarities. There are likewise other beauties of composition which he will not fail to pursue;—such as brevity where the subject requires it;—a lively and pathetic description of important occurrences;—a passionate exaggeration of remarkable circumstances;—an earnestness of expression, which implies more than is said;—a well-timed variety of humour;—and a happy imitation of different characters and dispositions.

¶ Assisted and adorned by such figures as these, which are very numerous, the force of eloquence will appear in its brightest lustre. But even these, unless they are properly formed and regulated, by a skilful disposition of their constituent words, will never attain the merit we require;—a subject which I shall be obliged to treat of in the sequel, though I am restrained partly by the circumstances already mentioned, but much more so by the following. For I am sensible not only that there are some invidious people, to whom every improvement appears vain and superfluous; but that even those, who are well-wishers to my reputation,
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may think it beneath the dignity of a man whose public services have been so honourably distinguished by the Senate, and the whole body of the Roman people, to employ my pen so largely upon the art of speaking.^k If, however, I was to return no other answer to the latter, but that I was unwilling to deny any thing to the request of Brutus, the apology must be unexceptionable; because I am only aiming at the satisfaction of an intimate friend, and a worthy man, who desires nothing of me but what is just and honourable. But was I even to profess (what I wish I was capable of) that I mean to give the necessary precepts, and point out the road to eloquence to those who are desirous to qualify themselves for the forum, what man of sense could blame me for it? For who ever doubted that in the decision of political

^k The long apology which our author is now going to make for bestowing his time in composing a treatise of oratory, is in fact a very artful as well as an elegant digression; to relieve the dryness and intricacy of the abstract he has just given us of the figures of rhetoric, and of the subsequent account of the rules of prosaic harmony. He has also enlivened that account (which is a very long one) in the same manner, by interspersing it, at convenient distances, with fine examples, agreeable comparisons, and short historical digressions, to elucidate the subject.

tical matters, and in time of peace, Eloquence has always borne the sway in the Roman state, while Jurisprudence has possessed only the second post of honour? For whereas the former is a constant source of authority and reputation, and enables us to defend ourselves and our friends in the most effectual manner;—the other only furnishes us with formal rules for indictments, pleas, protests, &c. in conducting which she is frequently obliged to sue for the assistance of eloquence;—but if the latter condescends to oppose her, she is scarcely able to maintain her ground, and defend her own territories. If, therefore, to teach the civil law has always been reckoned a very honourable employment, and the houses of the most eminent men of that profession, have been crowded with disciples; who can be reasonably censured for exciting our youth to the study of eloquence, and furnishing them with all the assistance in his power? If it is a fault to speak gracefully, let eloquence be for ever banished from the state. But if, on the contrary, it reflects an honour, not only upon the man who possesses it, but upon the country which gave him birth, how can it be a disgrace to *learn*, what it is so glorious to *know*? Or why should

it not be a credit to *teach* what it is the highest honour to have *learned*?

But, in one case, they will tell me, the practice has been sanctified by custom, and in the other it has not. This I grant: but we may easily account for both. As to the gentlemen of the law, it was sufficient to hear them, when they decided upon such cases as were laid before them in the course of business:—so that when they taught, they did not set apart any particular time for that purpose, but the same answers satisfied their clients and their pupils. On the other hand, as our speakers of eminence spent their time, while at home, in examining and digesting their causes, and while in the Forum in pleading them, and the remainder of it in a seasonable relaxation, what opportunity had they for teaching and instructing others? I might venture to add that most of our orators have been more distinguished by their *genius*, than by their *learning*; and for that reason were much better qualified to be *speakers* than *teachers*; which it is possible may be the reverse of my case.—“True, say they; but teaching is an employment which is far from being recommended by its *dignity*.” And so indeed it is, if we teach like mere pedagogues. But if we
only

only direct, encourage, examine, and inform our pupils; and sometimes accompany them in reading or hearing the performances of the most eminent speakers;—if by these means we are able to contribute to their improvement, what should hinder us from communicating a few instructions, as opportunity offers? Shall we deem it an honourable employment, as indeed with us it is, to teach the form of a legal process, or an excommunication from the rites and privileges of our religion; and shall it not be equally honourable to teach the methods by which those privileges may be defended and secured?—“Perhaps it may,” they will reply; “but even those who know scarcely any thing of the law are ambitious to be thought masters of it; whereas those who are well furnished with the powers of eloquence pretend to be wholly unacquainted with them; because they are sensible that useful knowledge is a valuable recommendation, whereas an artful tongue is suspected by every one.”—But is it possible, then, to exert the powers of eloquence without discovering them. Or is an orator really thought to be no orator, because he disclaims the title? Or is it likely that, in a great and noble art, the world will judge it a scandal to *teach*, what

it is the greatest honour to *learn*? Others, indeed, may have been more reserved; but, for my part, I have always owned my profession. For how could I do otherwise, when, in my youth, I left my native land, and crossed the sea, with no other view but to improve myself in this kind of knowledge; and, when afterwards my house was crowded with the ablest professors, and my very style betrayed some traces of a liberal education? Nay, when my own writings were in every body's hands, with what face could I pretend that I had not studied? Or what excuse could I have for submitting my abilities to the judgment of the public, if I had been apprehensive that they would think I had studied to no purpose?¹

43. But the points we have already discussed are susceptible of greater dignity and elevation, than those which remain to be considered. For
we

¹ This sentence in the original runs thus;—*Quid erat cur probarem* (sc. scripta nostra), *nisi quod parum fortasse profeceram?*—"Wherefore did I approve of them," (that is, of my writings, so far as to make them public) "but because I had," (in my own opinion) "made a progress, though perhaps a small one, in useful literature?" This, at least, is the only meaning I am able to affix to it; and I flatter myself, that the translation I have given of it, will be found to correspond with the general sense of my author.

we are next to treat of the arrangement of our words; and, indeed, I might have said, of the art of numbering and measuring our very syllables; which, though it may, in reality, be a matter of as much consequence as I judge it to be, cannot however be supposed to have such a striking appearance in precept as in practice. This, indeed, might be said of every other branch of useful knowledge; but it is more remarkably true with respect to this. For the actual growth and improving height of all the sublimer arts, like that of trees, affords a pleasing prospect; whereas the roots and stems are scarcely beheld with indifference: and yet the former cannot subsist without the latter. But whether I am restrained from dissembling the pleasure I take in the subject, by the honest advice of the poet, who says,

"Blush not to own the art you love to practise,"

or whether this treatise has been extorted from me by the importunity of my friend, it was proper to obviate the censures to which it will probably expose me. And yet, even supposing that I am mistaken in my sentiments, who would shew himself so illiberal and uninformed as to refuse me his indulgence (now all my forensic employments and public business are

at an end) for not resigning myself to that stupid inactivity which is contrary to my nature, or to that unavailing sorrow which I do my best to overcome, rather than devote myself to my favourite studies? These first conducted me into the Forum and the Senate-house, and they are now the chief comforts of my retirement. I have, however, applied myself not only to such speculations as form the subject of the present essay, but to others more sublime and interesting; and if I am able to discuss them in a proper manner, my private studies will be no disparagement to my forensic employments. But it is time to return to our ¹¹¹subject.—Our words, then, should be so disposed, that every following one may be aptly connected with the preceding, so as to make an agreeable sound!—or that the mere form and adjustment of the terms may give our sentences an easy volubility;—or, lastly, that our periods may have a numerous and measured cadence. The first thing, then, to be attended to, is the *structure* of our language, or the agreeable connection of one word with another; which, though it certainly requires care, ought not to be practised with a laborious nicety. For this would be an endless and puerile attempt,

attempt, and is justly ridiculed by Lucilius, when he introduces Scævola thus reflecting upon Albucius:

“ As in the chequer’d pavement ev’ry square
 “ Is nicely fitted by the mason’s care:
 “ So all thy words are plac’d with curious art,
 “ And ev’ry syllable performs its part.”

But though we are not to be minutely exact in the *structure* of our language, a moderate share of practice will habituate us to every thing of this nature which is necessary. For as the eye in *reading*, so the mind in *speaking*, will readily discern what ought to follow,—that, in connecting our words, there may neither be a chasm, nor a disagreeable harshness. The most lively and interesting sentiments, if they are harshly expressed, will offend the ear, that delicate and fastidious judge of rhetorical harmony. This circumstance, therefore, is so carefully attended to in the Roman language, that there is scarcely a rustic among us whose ear is not offended by a collision of vowels,—a defect which, in the opinion of some, was too scrupulously avoided by Theopompus, though his master Isocrates was equally cautious. But Thucydides was not so exact; nor was Plato, (though a much better writer)—not only

only in his *Dialogues*, in which it was necessary to maintain an easy negligence, to resemble the style of conversation, but in the famous Panegyric, in which (according to the custom of the Athenians) he celebrated the praises of those who fell in battle, and which was so greatly esteemed, that it is publicly repeated every year. In that oration a collision of vowels occurs very frequently; though Demosthenes generally avoids it as a fault. But let the Greeks determine for themselves: we Romans are not allowed to interrupt the connection of our words. Even the rude and unpolished orations of Cato are a proof of this; as are likewise all our poets, except in particular instances, in which they were obliged to admit a few breaks, to preserve their metre. Thus we find in Nævius,

"Vos QUI ACCOLITIS *histrum FLUVIUM ATQUE ALGIDUM.*"

And in another place,

"*Quam nunquam vobis GRAII ATQUE Barbari.*"

But Ennius admits it only once, when he says,

"*Scipio invictè;*"

and likewise I myself in

"*Hoc motu radiantis ETESIE IN Vada Ponti.*"

This.

This, however, would seldom be suffered among us, though the Greeks often commend it as a beauty. But why do I speak of a collision of vowels? for omitting this, we have frequently *contracted* our words for the sake of brevity; as in *multi' modis, vas' argenteis, if palm' et crinibus, tecti' fractis*, &c. We have sometimes also contracted our proper names, to give them a smother sound: for as we have changed *Duellum* into *Bellum*, and *duis* into *bis*, so *Duellius*, who defeated the Carthaginians at sea, was called *Bellius*, though all his ancestors were named *Duellii*. We likewise abbreviate our words, not only for convenience, but to please and gratify the ear. For how otherwise came *avilla* to be changed into *ala*, but by the omission of an unweildy consonant, which the elegant pronunciation of our language has likewise banished from the words *maxillæ, tavillæ, vexillum*, and *parillum*?—Upon the same principle, two or more words have been contracted into one, as *sodes* for *si audes*, *sis* for *si vis*, *capsis* for *cape si vis*, *ain'* for *aisne*, *nequire* for *non quire*, *malle* for *magis velle*, and *nolle* for *non velle*; and we often say *dein'* and *evin'* for *deinde* and *exinde*. It is equally evidently why we never say *cum nobis*, but *nobiscum*; though we do not scruple to

to say *cum illis*;—viz. because in the former case, the union of the consonants *m* and *n* would produce a jarring sound: and we also say *mecum* and *tecum*, and not *cum me* and *cum te*, to correspond with *nobiscum* and *vobiscum*.

¶ But some, who would correct antiquity rather too late, object to these contractions: for, instead of *propter DEUM atque hominum fidem*, they say *Deorum*. They are not aware, I suppose, that custom has sanctified the licence. The same poet, therefore, who, almost without a precedent, has said *patris mei MEUM FACTUM pudet*, instead of *meorum factorum*,—and *tegitur exitium examen rapit* for *exitiorum*, does not choose to say *liberum*, as we generally do in the expressions *cupidos liberum*, and *in liberum loco*, but as the literary virtuosos above-mentioned would have it,

neque tuum unquam in gremium extollas
LIBERORUM ex te genus,

and,

namque Æsculapí LIBERORUM.

But the author before quoted says in his *Chryses*, not only

Cives,

Cives, antiqui amici majorum MEUM,

which was common enough; but more harshly still,

CONSILIUM, AUGURIUM atque EXTUM interpretes;

and in another place,

Postquam PRODIGIUM HORRIFERUM PORTENTUM pavos;

a licence which is not customary in all neuters indifferently: for I should not be so willing to say *ARMUM judicium*, as *armorum*; though in the same writer we meet with *nihilne ad te de judicio ARMUM accidit?* And yet (as we find it in the public registers) I would venture to say *fabrum*, and *procum* and not *fabrorum* and *procorum*. But I would never say *DUORUM VIRORUM judicium*, or *trium VIRORUM capitalium*, or *decem VIRORUM litibus judicandis*. In *Accius*, however, we meet with

Video sepulchra duo DUORUM corporum;

though in another place he says,

Mulier una DUUM VIRUM.

I know, indeed, which is most conformable to the rules of grammar: but yet I sometimes expres_s

express myself as the freedom of our language allows me, as when I say at pleasure, either *h/ß/ proß deúm*, or *proß deorum*;—and, at other times, as I am obliged by custom, as when I *1/say trium v/rûm* for *virorum*, or *SESTER-TIUM NUMMUM* for *nummorum*: because in the latter case the mode of expression is invariable.

But what shall we say when these humourists forbid us to say *nósse* and *judicásse* for *novisse* and *judicavisse*; as if we did not know, as well as themselves, that, in these instances, the verb at full length is most agreeable to the laws of grammar, though custom has given the preference to the contracted verb? Terence, therefore, has made use of both, as when he says, *eho tu cognatum tuum non norás?* and afterwards,

Stilphonem, inquam, noveras?

Thus also, *siet* is a perfect verb, and *sit* a contracted one; and accordingly we find in the same comedian,

Quam cura sinque post carendo intelligunt,

and

Quamque attinendi magni dominatus sient.

In the same manner I have no objection to
scripsere

scripsere alii rem, though I am sensible that *scripserunt* is more grammatical; because I submit with pleasure to the indulgent laws of custom which delight to gratify the ear. *Idem campus habet*, says Ennius; and in another place, *in templis tsdem*; *eisdem*, indeed, would have been more grammatical, but not sufficiently harmonious; and *iisdem* would have sounded still worse. But we are allowed by custom even to dispense with the rules of etymology to improve the sweetness of our language; and I would therefore rather say, *pomeridianas Quadrigas*, than *postmeridianas*; and *mehercule*, than *mehercules*. For the same reason *non scire* would now be deemed a barbarism, because *nescire* has a smoother sound; and we have likewise substituted *meridiem* for *medidiem*, because the latter was offensive to the ear. Even the preposition *ab*, which so frequently occurs in our compound verbs, is preserved entire only in the formality of a journal, and, indeed, not always there: in every other sort of language it is frequently altered. Thus we say *amovit*, *abegit*, and *abstulit*; so that you can scarcely determine whether the primitive preposition should be *ab* or *abs*. We have likewise rejected even *abfugit*, and *abfer*,
and

and introduced *aufugit* and *aufer* in their stead;—thus forming a new preposition, which is to be found in no other verb but these. *Noti*, *navi*, and *nari*, have all been words in common use: but when they were afterwards to be compounded with the preposition *in*, it was thought more harmonious to say *ignoti*, *ignavi*, and *ignari*, than to adhere strictly to the rules of etymology. We likewise say *ex usu*, and *e republicâ*; because in the former case, the preposition is followed by a vowel, and in the latter, it would have sounded harshly without omitting the consonant; as may also be observed in *exegit*, *edixit*, *refecit*, *retulit*, and *reddidit*. Sometimes the preposition alters or otherwise affects the first letter of the verb with which it happens to be compounded; as in *subegit*, *summutavit*, and *sustulit*. At other times it changes one of the subsequent letters; as when we say *insipientem* for *insapientem*, *iniquum* for *inæquum*, *tricipitem* for *tricapitem*, and *concisum* for *concæsum*: and from hence some have ventured to say *pertisum* for *pertæsum*, which custom has never warranted. But what can be more delicate than our changing even the natural quantity of our syllables to humour the ear? Thus in the adjectives

inclÿtÿs,

inclÿtÿs, and *inhÿmanus*, the first syllable after the preposition is short, whereas *insÿnus* and *infÿlix* have it long; and, in general, those words whose first letters are the same as in *sapiens* and *felix*, have their first syllable long in composition, but all others have the same syllable short, as *cōmpōsuit*, *consuēvit*, *concrēpuit*, *confēcit*. Examine these liberties by the strict rules of etymology, and they must certainly be condemned: but refer them to the decision of the ear, and they will be instantly approved.—What is the reason? Your ear will inform you they have an easier sound; and every language must submit to gratify the ear. I myself, because our ancestors never admitted the aspirate, unless where a syllable began with a vowel, used to say *pulcros*, *Cetegos*, *triumpos*, and *Cartaginem*: but some time afterwards, though not very soon, when this grammatical accuracy was wrested from me by the censure of the ear, I resigned the mode of language to the vulgar, and reserved the theory to myself. But we still say, without any hesitation, *Orcivios*, *Matones*, *Otones*, *cæpiones*, *sepulcra*, *coronas*, and *lacrymas*, because the ear allows it. *Ennius* always uses *Burrum*, and never *Pyrrhum*; and ancient copies of the same author have

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Vi patefecerunt BRUGES,

not *Phryges*; because the Greek vowel hadn't then been adopted, though we now admit both that and the aspirate: and, in fact, when we had afterwards occasion to say *Phrygum* and *Phrygibus*, it was rather absurd to adopt the Greek letter without adopting their cases, ^m or at least to confine it to the nominative; and yet (in the accusative) we say *Phryges* and *Pyrrhum*, to please the ear. Formerly it was esteemed an elegancy, though it would now be considered as a rusticism, to omit the *s* in all words which terminate in *us*, except when they were followed by a vowel; and the same elision which is so carefully avoided by the modern poets, was very far from being reckoned a fault among the ancient: for they made no scruple to say,

Qui est OMNIBUS princeps,

not, as we do, *OMNIBUS princeps*; and,

Vilâ illâ dignus locoque,

not *dignus*.

But if untaught custom has been so ingenious

^m This passage, as it stands in the original, appears to me unintelligible: I have therefore taken the liberty to give it a slight alteration.

nious in the formation of agreeable sounds, what may we not expect from the improvements of art and erudition? I have, however, been much shorter upon this subject, than I should have been if I had written upon it professedly: for a comparison of the natural and customary laws of language would have opened a wide field for speculation: but I have already enlarged upon it sufficiently, and more, perhaps, than the nature of my design required.

44. To proceed then,—as the choice of proper matter, and of suitable words to express it, depends upon the judgment of the speaker, but that of agreeable sounds, and harmonious numbers, upon the decision of the ear; and because the former is intended for information, and the latter for pleasure; it is evident that reason must determine the rules of art in one case, and mere sensation in the other. For we must either neglect the gratification of those by whom we wish to be approved, or apply ourselves to invent the most likely methods to promote it. There are two things which contribute to gratify the ear, agreeable *sounds*, and harmonious *numbers*. We shall treat of *numbers* in the sequel, and at present confine ourselves to *sound*.—Those words, then, as we have already observed, are to have the prefer-

ence which sound agreeably;—not such as are exquisitely melodious, like those of the poets, but such as can be found to our purpose in common language.—*Quà Pontus Helles* is rather beyond the mark:—but in

Auratos aries Colchorum,

the verse glitters with a moderate harmony of expression; whereas the next, as ending with a letter which is remarkably flat, is unmusical,

Frugifera et ferta arva Asiæ tenet.

Let us, therefore, rather content ourselves with the agreeable mediocrity of our own language, than emulate the splendor of the Greeks; unless we are so bigotted to the latter as to hesitate to say with the poet:

Quà tempestate Paris Helenam, &c.

we might even imitate what follows, and avoid, as far as possible, the smallest asperity of sound,

Habeo istam ego PERTERRICREPAM;

or say, with the same author, in another passage,

Versutiloquas MALITIAS.

But

But our words must have a proper *compass*, as well as be connected together in an agreeable manner; for this, we have observed, is another circumstance which falls under the decision of the ear. They are confined to a proper compass, either by certain rules of composition, as by a kind of natural pause, or by the use of particular forms of expression, which have a peculiar *concinnity* in their very texture; such as a succession of several words which have the same termination, or the comparing similar, and contrasting opposite circumstances, which will always terminate in a measured cadence, though no immediate pains should be taken for that purpose. Gorgias, it is said, was the first orator who practised this species of *concinnity*. The following passage in my defence of *Milo* is an example.

“Est enim Judices, hæc non *scripta*, sed *nata* Lex; quam non *didicimus*, *accepimus*, *legimus*, verum ex Naturâ ipsâ *arripuimus*, *hausimus*, *expressimus*; ad quam non *docti*, sed *facti*; non *instituti*, sed *imbuti* simus.”

“For this, my Lords, is a law not written upon tables, but impressed upon our hearts;—a law which we have not learned, or heard, or read, but eagerly caught and imbibed from the

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hand

hand of nature;—a law to which we have not been trained but originally formed; and with the principles of which we have not been furnished by education, but tinctured and impregnated from the moment of our birth.”

In these forms of expression every circumstance is so aptly referred to some other circumstance, that the regular turn of them does not appear to have been studied, but to result entirely from the sense. The same effect is produced by contrasting opposite circumstances; as in the following lines, where it not only forms a measured sentence, but a verse:

Eam, quam nihil accusas, damnas,

Her, whom you ne'er accus'd, you now condemn;

(In prose we should say *condemnas*;) and again,

Bene quam meritam esse autumas, dicis male mereri,

Her merit, once confess'd, you now deny;

and,

Id quod scis, prodest nihil; id quod nescis, obest,

From what you've learnt no real good accrues.

But ev'ry ill your ignorance pursues.

Here

Here you see the mere opposition of the terms produces a verse; but in prosaic composition, the proper form of the last line would be, *quod scis nihil prodest; quod nescis multum obest*. This contrasting of opposite circumstances, which the Greeks call an Antithesis, will necessarily produce what is styled *rhetorical metre*, even without our intending it. The ancient orators, a considerable time before it was practised and recommended by *Isocrates*, were fond of using it; and particularly *Gorgias*, whose measured cadences are generally owing to the mere *concinnity* of his language. I have frequently practised it myself; as, for instance, in the following passage of my fourth invective against *Verres*:

“*Conferte, hanc Pacem cum illo Bello;—hujus Prætoris Adventum, cum illius Imperatoris Victoriâ;—hujus Cohortem impuram, cum illius Exercitu invicto;—hujus Libidines, cum illius Continentiâ;—ab illo qui cepit conditas; ab hoc, qui constitutas accepit, captas dicetis Syracusas.*”

“Compare this detestable *peace* with that glorious *war*,—the *arrival* of this governor

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with

with the *victory* of that commander,—his *ruffian guards*, with the *invincible forces* of the other;—the brutal luxury of the former, with the modest temperance of the latter;—and you will say, that Syracuse was really *founded* by him who *stormed* it, and *stormed* by him who received it already *founded* to his hands.”—So much, then, for that kind of measure which results from particular forms of expression, and which ought to be known by every orator. —We must now proceed to the third thing proposed,—that measured and well-adjusted style; of the beauty of which, if any are so insensible as not to feel it, I cannot imagine what kind of ears they have, or what resemblance of a human being! For my part, my ears are always fond of a complete and full-measured flow of words, and perceive in an instant what is either defective or redundant. But wherefore do I say *mine*? I have frequently seen a whole assembly burst into raptures of applause at a happy period: for the ear naturally expects, that our sentences should be properly tuned and measured. This, however, is an accomplishment which is not to be met with among the ancients. But to compensate the want of it, they had almost every other perfection: for they

they had a happy choice of words, and abounded in pithy and agreeable sentiments, though they had not the art of harmonizing and completing their periods. This, say some, is the very thing we admire. But what if they should prefer the ancient *peinture*, with all its poverty of colouring, to the rich and finished style of the moderns? The former, I suppose, must be again adopted, to compliment their delicacy, and the latter rejected. But these pretended connoisseurs regard nothing but the mere *name* of antiquity. It must, indeed, be owned that antiquity has an equal claim to authority in matters of imitation, as grey hairs in the precedence of age. I myself have as great a veneration for it as any man: nor do I so much upbraid antiquity with her defects, as admire the beauties she was mistress of:—especially as I judge the latter to be of far greater consequence than the former. For there is certainly more real merit in a masterly choice of words and sentiments, in which the ancients are allowed to excel, than in those measured periods with which they were totally unacquainted.

57 This species of composition was not known among the Romans till lately, but the ancients, I believe,

namer
pudm's

I believe, would readily have adopted it, if it had then been discovered : and we accordingly find, that it is now made use of by all orators of reputation. " But when number, or (as the Greeks call it) prosaic metre, is professedly introduced into judicial and forensic discourses, the very name, say they, has a suspicious sound : for people will conclude that there is too much artifice employed to soothe and captivate their ears, when the speaker is so over-exact as to attend to the harmony of his periods." Relying upon the force of this objection, these pretenders are perpetually grating our ears with their broken and mutilated sentences ; and censure those, without mercy, who have the presumption to utter an agreeable and a well-turned period. If, indeed, it was our design to spread a varnish over empty words and trifling sentiments, the censure would be just ; but when the matter is good, and the words are proper and expressive, what reason can be assigned why we should prefer a limping and imperfect period to one which terminates and keeps pace with the sense ? For this invidious and persecuted *metre* aims at nothing more than to adapt the compass of our words to that of our thoughts ; which is sometimes done even

even by the ancients,—though generally, I believe, by mere accident, and often by the natural delicacy of the ear ; and the very passages which are now most admired in them, commonly derive their merit from the agreeable and measured flow of the language. This is an art which was in common use among the Greek orators, about four hundred years ago, though it has been but lately introduced among the Romans. Ennius, therefore, when he ridicules the inharmonious numbers of his predecessors, might be allowed to say,

" *Such Verses as the rustic Bards and Satyrs sung :*"

But I must not take the same liberty ; especially as I cannot say with him,

" *Before this bold adventurer,*" &c.

(meaning himself :) nor, as he afterwards exults to the same purpose,

" *I first have dar'd t' unfold,*" &c.

For I have both read and heard several who were almost complete masters of the numerous and measured style I am speaking of: But many, who are still absolute strangers to it, are not content to be exempted from the ridicule they

they deserve, but claim a right to our warmest applause. I must own, indeed, that I admire the venerable patterns, of which those persons pretend to be the faithful imitators, notwithstanding the defects I observe in them: but I can by no means commend the folly of those who copy nothing but their blemishes, and have no pretensions even to the most distant resemblance in what is truly excellent. But if their own ears are so indelicate and devoid of taste, will they pay no deference to the judgment of others, who are universally celebrated for their learning? I will not mention Isocrates, and his two scholars, Ephorus and Naucrates; though they may claim the honour of giving the richest precepts of composition, and were themselves very eminent orators. But who was possessed of a more ample fund of erudition?—who more subtle and acute?—or who furnished with quicker powers of invention, and a greater strength of understanding, than Aristotle? I may add, who made a warmer opposition to the rising fame of Isocrates? And yet *he*, though he forbids us to versify in prose, recommends the use of *numbers*. His hearer Theodectes (whom he often mentions as a polished writer, and an excellent artist) both approves

remains in
oration
name in
See p. 343-344

proves and advises the same thing: and Theophrastus is still more copious and explicit. Who, then, can have patience with those dull and conceited humourists, who dare to oppose themselves to such venerable names as these? The only excuse that can be made for them is, that they have never perused their writings, and are therefore ignorant that they actually recommend the prosaic *metre* we are speaking of. If this is the case with them (and I cannot think otherwise) will they reject the evidence of their own sensations? Is there nothing which their ears will inform them is defective?—nothing which is harsh and unpolished?—nothing imperfect?—nothing lame and mutilated?—nothing redundant? In dramatic performances, a whole theatre will exclaim against a verse which has only a syllable either too short or too long: and yet the bulk of an audience are unacquainted with *feet* and *numbers*, and are totally ignorant what the fault is, and where it lies: but nature herself has taught the ear to measure the quantity of sound, and determine the propriety of its various accents, whether grave, or acute.

52 Do you desire, then, my Brutus, that we should discuss the subject more fully than those

nations, af-
ter some nu-
merical.

himself, scrip-
ta numerica

writers who have already elucidated this, and the other parts of rhetoric? Or shall we content ourselves with the instructions which *they* have provided for us? But wherefore do I offer such a question, when your elegant letters have informed me, that this is the chief object of your request? We shall proceed, therefore, to give an account of the commencement, the origin, and the nature and use of *prosaic numbers*. The admirers of Isocrates place the first invention of numbers among those other improvements which do honour to his memory. For observing, say they, that the orators were heard with a kind of sullen attention, while the poets were listened to with pleasure, he applied himself to introduce a species of metre into prose, which might have a pleasing effect upon the ear, and prevent that satiety which will always arise from a continued uniformity of sound. This, however, is partly true, and partly otherwise; for though it must be owned that no person was better skilled in the subject than Isocrates, yet the first honour of the invention belongs to Thrasymachus, whose style (in all his writings which are extant) is *numerous even to a fault*. But Gorgias, as I have already remarked, was the

original inventor of those measured forms of expression which have a kind of spontaneous harmony, — such as a regular succession of words with the same termination, and the comparing similar, or contrasting opposite circumstances: though it is also notoriously true that he used them to excess. This, however, is one of the three branches of composition above-mentioned. But each of these authors was prior to Isocrates: so that the preference can be due to *him* only for his *moderate use*, and not for the *invention* of the art: for as he is certainly much easier in the turn of his metaphors, and the choice of his words, so his numbers are more composed and sedate. But Gorgias, he observed, was too eager, and indulged himself in this measured play of words to a ridiculous excess. He, therefore, endeavoured to moderate and correct it; but not till he had first studied in his youth under the same Gorgias, who was then in Thessaly, and in the last decline of life. Nay, as he advanced in years (for he lived almost a hundred) he corrected *himself*, and gradually relaxed the over strict regularity of his numbers; as he particularly informs us in the treatise which he dedicated to Philip of Macedon, in the latter part

*servile at-
tention.*

part of his life; for he there says, that he had thrown off that servile attention to his numbers, to which he was before accustomed:—so that he discovered and corrected his *own* faults as well as those of his predecessors.

53 Having thus specified the several authors and inventors, and the first commencement of prosaic harmony, we must next enquire what was the natural source and origin of it. But this lies so open to observation that I am astonished the ancients did not notice it: especially as they often, by mere accident, threw out harmonious and measured sentences, which, when they had struck the ears and the passions with so much force, as to make it obvious that there was something particularly agreeable in what chance alone had uttered, one would imagine that such a singular species of ornament would have been immediately attended to, and that they would have taken the pains to imitate what they found so pleasing in themselves. For the ear, or at least the mind by the intervention of the ear, has a natural capacity to measure the harmony of language: and we accordingly feel that it instantly determines what is either too short or too long, and always expects to be gratified with that which is complete and well-

well-proportioned. Some expressions it perceives to be imperfect, and mutilated; and at these it is immediately offended, as if it was defrauded of its natural due. In others it discovers an immoderate length, and a tedious superfluity of words; and with these it is still more disgusted than with the former; for in this, as in most other cases, an excess is always more offensive than a proportional defect. As versification, therefore, and poetic composition were invented by the regulation of the ear, and the successive observations of men of taste and judgment; so in prose (though indeed long afterwards, but still, however, by the guidance of nature) it was discovered that the career and compass of our language should be adjusted and circumscribed within proper limits. So much for the source, or natural origin of prosaic harmony. We must next proceed (for that was the third thing proposed) to enquire into the nature of it, and determine its essential principles;—a subject which exceeds the limits of the present essay, and would be more properly discussed in a professed and accurate system of the art. For we might here enquire what is meant by prosaic *number*, wherein it consists, and from whence

it arises; as likewise whether it is simple and uniform, or admits of any variety, and in what manner it is formed, for what purpose, and when and where it should be employed, and how it contributes to gratify the ear.

But as in other subjects, so in this, there are two methods of disquisition; the one more copious and diffusive, and the other more concise, and, I might also add, more easy and comprehensible. In the former, the first question which would occur is, whether there is any such thing as *prosaic number*: some are of opinion there is not; because no fixed and certain rules have been yet assigned for it, as there long have been for poetic numbers; and because the very persons, who contend for its existence, have hitherto been unable to determine it. Granting, however, that prose is susceptible of numbers, it will next be enquired of what kind they are;—whether they are to be selected from those of the poets, or from a different species;—and if from the former, which of them may claim the preference; for some authors admit only one or two, and some more, while others object to none. We might then proceed to enquire (be the number of them to be admitted, more or less) whether they are equally

equally common to every kind of style; for the narrative, the persuasive, and the didactic have each a manner peculiar to itself; or whether the different species of oratory should be accommodated with their different numbers. If the same numbers are equally common to all subjects, we must next enquire what those numbers are; and if they are to be differently applied, we must examine wherein they differ, and for what reason they are not to be used so openly in prose as in verse. It might likewise be a matter of enquiry, whether a *numerous* style is formed entirely by the use of numbers, or not also, in some measure, by the harmonious juncture of our words, and the application of certain figurative forms of expression;—and, in the next place, whether each of these has not its peculiar province, so that number may regard the time, or *quantity*, composition the *sound*, and figurative expression the *form* and *polish* of our language,—and yet, in fact, composition be the source and fountain of all the rest, and give rise both to the varieties of *number*, and to those figurative and luminous dashes of expression, which by the Greeks, as I have before observed, are called (*σχηματα*) *attitudes*, or *figures*. But to me there appears to be a real distinction

between what is agreeable in *sound*, exact in *measure*, and ornamental in the mode of *expression*; though the latter, it must be owned, is very closely connected with *number*, as being for the most part sufficiently numerous without any labour to make it so: but composition is apparently different from both, as attending entirely either to the *majestic*, or *agreeable* sound of our words. Such then are the enquiries which relate to the *nature* of prosaic harmony.

From what has been said, it is easy to infer that prose is susceptible of *number*. Our senses tell us so, and it would be excessively unfair to reject their evidence, because we cannot account for the fact. Even poetic metre was not discovered by any effort of reason, but by mere natural taste and sensation, which reason afterwards correcting, improved and methodized what had been noticed by accident; and thus an attention to nature, and an accurate observation of her various feelings and sensations, gave birth to art. But in verse the use of *number* is more obvious; though some particular species of it, without the assistance of music, have the air of harmonious prose, and especially the lyric poetry, and that even the best of the kind, which

which, if divested of the aid of music, would be almost as plain and naked as common language. We have several specimens of this nature in our own poets^a; such as the following line, in the tragedy of *Thyestes*.

“*Quemnam te esse dicam? qui in tardâ senectute;*

“Whom shall I call thee? who in tardy age,” &c.

which, unless when accompanied by the lyre, might easily be mistaken for prose. But the iambic verses of the comic poets, to maintain a resemblance to the style of conversation, are often so low and simple that you can scarcely discover in them either number or metre; from whence it is evident that it is more difficult to adapt numbers to prose than to verse. There are two things, however, which give a sweetness to our language,—well-chosen words, and harmonious *numbers*. Words may be considered as the *materials* of language, and it is the business of *number* to smooth and polish them. But, as in other cases, what was

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invented

^a It must here be remarked, that the Romans had no lyric poet before *Horace*, who did not flourish till after the times of *Cicero*.

invented to serve our necessities was always prior to that which was invented for pleasure; so, in the present, a rude and simple style, which was merely adapted to express our thoughts, was discovered many centuries before the invention of *numbers*, which are designed to please the ear. Accordingly, Herodotus, with those in his own and in the preceding age, had not the least idea of prosaic *number*, nor produced any thing of the kind, unless at random, and by mere accident:—and even the ancient masters of rhetoric (I mean those of the earliest date) have not so much as mentioned it, though they have left us a multitude of precepts upon the conduct and management of our style. For what is easiest, and most necessary to be known, is, for that reason, always first discovered.

Metaphors, therefore, and new-made and compounded words, were easily invented, because they were borrowed from custom and conversation: but *number* was not selected from our domestic treasures, nor had the least intimacy or connection with common language; and, of consequence, not being noticed and understood till every other improvement had been made, it gave the finishing grace, and the
last

last touches to the style of eloquence. As it may be remarked that one sort of language is interrupted by frequent breaks and intermissions, while another is flowing and diffusive; it is evident that the difference cannot result from the natural sounds of different letters, but from the various combinations of long and short syllables, with which our language, being differently blended and intermingled, will be either dull and motionless, or lively and fluent; so that every circumstance of this nature must be regulated by *number*. For, by the assistance of *numbers*, the *period*, which I have so often mentioned before, pursues its course with greater strength and freedom, till it comes to a natural pause. It is therefore plain that the style of an orator should be measured and harmonized by *numbers*, though entirely free from verse: but whether these numbers should be the same as those of the poets, or of a different species, is the next thing to be considered. In my opinion there can be no sort of numbers but those of the poets; because they have already specified all their different kinds with the utmost precision; for every number may be comprized in the three following varieties:—*viz.* a *foot* (which is the measure we apply to
Z 4 numbers)

numbers) must be so divided, that one part of it will be either equal to the other, or twice as long, or equal to three halves of it. Thus, in a *dactyl* (˘˘˘) the first syllable, which is the former part of the foot, is equal to the two others, in the *iambic* (˘˘) the last is double the first, and in the *pæon* (˘˘˘, or ˘˘˘˘) one of its parts, which is the long syllable, is equal to two-thirds of the other. These are feet which are unavoidably incident to language; and a proper arrangement of them will produce a *numeros* style. But it will here be enquired, what numbers should have the preference? To which I answer, They must all occur promiscuously; as is evident from our sometimes speaking verse without knowing it, which in prose is reckoned a capital fault; but in the hurry of discourse we cannot always watch and criticise ourselves.

As to *senarian* and *hipponactic*° verses, it is scarcely possible to avoid them; for a considerable part, even of our common language, is composed of *iambics*. To these, however, the hearer is easily reconciled; because custom has made them familiar to his ear. But through inattention we are often betrayed into verses which are not so familiar;—a fault which may easily

Verses chiefly composed of *iambics*.

easily be avoided by a course of habitual circumspection. Hieronymus, an eminent Peripatetic, has collected out of the numerous writings of Isocrates about thirty verses, most of them *senarian*, and some of them *anapest*, which in prose have a more disagreeable effect than any others. But he quotes them with a malicious partiality: for he cuts off the first syllable of the first word in a sentence, and annexes to the last word the first syllable of the following sentence; and thus he forms what is called an *Aristophanean* *anapest*, which it is neither possible nor necessary to avoid entirely. But, this redoubtable critic, as I discovered upon a closer inspection, has himself been betrayed into a *senarian* or *iambic* verse in the very paragraph in which he censures the composition of Isocrates.

Upon the whole, it is sufficiently plain that prose is susceptible of *numbers*, and that the numbers of an orator must be the same as those of a poet. The next thing to be considered is, what are the numbers which are most suitable to his character, and, for that reason, should occur more frequently than the rest? Some prefer the *iambic* (˘˘) as approaching the nearest

nearest to common language; for which reason, they say, it is generally made use of in fables and comedies, on account of its resemblance to conversation; and because the dactyl, which is the favourite number of hexameters, is more adapted to a pompous style. Ephorus, on the other hand, declares for the pæon and the dactyl; and rejects the spondee and the trochee (—). For as the pæon has three short syllables, and the dactyl two, he thinks their shortness and celerity give a brisk and lively flow to our language; and that a different effect would be produced by the trochee and the spondee, the one consisting of short syllables and the other of long ones;—so that by using the former, the current of our words would become too rapid, and too heavy by employing the latter, losing, in either case, that easy moderation which best satisfies the ear. But both parties seem to be equally mistaken: for those who exclude the pæon, are not aware that they reject the sweetest and fullest number we have. Aristotle was far from thinking as they do: he was of opinion that heroic numbers are too sonorous for prose; and that, on the other hand, the iambic has too much the resemblance

blance of vulgar talk:—and, accordingly, he recommends the style which is neither too low and common, nor too lofty and extravagant, but retains such a just proportion of dignity, as to win the attention, and excite the admiration of the hearer. He, therefore, calls the *trochee* (which has precisely the same quantity as the *choree*) *the rhetorical jig*;* because the shortness and rapidity of its syllables are incompatible with the majesty of eloquence. For this reason he recommends the *pæon*, and says that every person makes use of it, even without being sensible when he does so. He likewise observes that it is a proper medium between the different feet above-mentioned:—the proportion between the long and short syllables, in every foot, being either sesquiplicate, duple, or equal. The authors, therefore, whom I mentioned before, attended merely to the easy flow of our language, without any regard to its dignity. For the iambic and the dactyl are chiefly used in poetry; so that to avoid versifying in prose, we must shun, as much as possible, a continued repetition of either; because

* *Cordacem appellat.* The *cordax* was a lascivious dance, very full of agitation.

because the language of prose is of a different cast, and absolutely incompatible with verse. As the pæon, therefore, is of all other feet the most improper for poetry, it may, for that reason be more readily admitted into prose. But as to Ephorus, he did not reflect that even the *spondee*, which he rejects, is equal in time to his favourite dactyl; because he supposed that feet were to be measured, not by the quantity, but the number of their syllables;—a mistake of which he is equally guilty when he excludes the *trochee*, which, in time and quantity, is precisely equal to the iambic; though it is undoubtedly faulty at the end of a period, which always terminates more agreeably in a long syllable than a short one. As to what Aristotle has said of the *pæon*, the same has likewise been said by Theophrastus and Theodectes. But, for my part, I am rather of opinion that our language should be intermingled and diversified with all the varieties of number; for should we confine ourselves to any particular feet, it would be impossible to escape the censure of the hearer; because our style should neither be so exactly measured as that of the poets, nor entirely destitute of number, like that of the common

common people. The former, as being too regular and uniform, betrays an appearance of art; and the other, which is as much too loose and undetermined, has the air of ordinary talk; so that we receive no pleasure from the one and are absolutely disgusted with the other. Our style, therefore, as I have just observed, should be so blended and diversified with different numbers, as to be neither too vague and unrestrained, nor too openly numerous, but abound most in the pæon (so much recommended by the excellent author above-mentioned) though still in conjunction with many other feet which he entirely omits.

But we must now consider what numbers, like so many dashes of purple, should tincture and enrich the rest, and to what species of style they are each of them best adapted. The iambic, then, should be the leading number in those subjects which require a plain and simple style;—the pæon in such as require more compass and elevation; and the dactyl is equally applicable to both. So that, in a discourse of any length and variety, it will be occasionally necessary to blend and intermingle them all. By this means, our endeavours to modulate our periods, and captivate the ear, will be most effectually

fectually concealed ; especially, if we maintain a suitable dignity both of language and sentiment. For the hearer will naturally attend to these (I mean our words and sentiments) and to them alone attribute the pleasure he receives ; so that while he listens to these with admiration, the harmony of our numbers will escape his notice : though it must indeed be acknowledged that the former would have their charms without the assistance of the latter. But the flow of our numbers is not to be so exact (I mean in prose, for in poetry the case is different) as that nothing may exceed the bounds of regularity ; for this would be to compose a poem. On the contrary, if our language neither limps nor fluctuates, but keeps an even and a steady pace, it is sufficiently *numerous* ; and it accordingly derives the title, not from its consisting entirely of numbers, but from its near approach to a numerous form.— This is the reason why it is more difficult to make elegant prose, than to make verses ; because there are fixed and invariable rules for the latter ; whereas nothing is determined in the former, but that the current of our language should be neither immoderate nor defective, nor loose and unconfined.

unconfined. It cannot be supposed, therefore, to admit of regular beats and divisions, like a piece of music ; but it is only necessary that the general compass and arrangement of our words should be properly restrained and limited,—a circumstance which must be left entirely to the decision of the ear.

Another question which occurs before us is—whether an attention to our numbers should be extended to every part of a sentence, or only to the beginning and the end. Most authors are of opinion that it is only necessary that our periods should end well, and have a numerous cadence. It is true, indeed, that this ought to be principally attended to, but not solely : for the whole compass of our periods ought likewise to be regulated, and not totally neglected. As the ear, therefore, always directs its view to the close of a sentence, and there fixes its attention, it is by no means proper that this should be destitute of *number* : but it must also be observed that a period, from its first commencement, should run freely on, so as to correspond to the conclusion ; and the whole advance from the beginning with such an easy flow, as to make a natural, and a kind of voluntary

luntary pause. To those who have been well practised in the art, and who have both written much, and often attempted to discourse *extempore* with the same accuracy which they observe in their writings, this will be far less difficult than is imagined. For every sentence is previously formed and circumscribed in the mind of the speaker, and is then immediately attended by the proper words to express it, which the same mental faculty (than which there is nothing more lively and expeditious) instantly dismisses, and sends off each to its proper post: but, in different sentences, their particular order and arrangement will be differently terminated; though, in every sentence, the words, both in the beginning and the middle of it, should have a constant reference to the end. Our language, for instance, must sometimes advance with rapidity, and at other times its pace must be moderate and easy; so that it will be necessary, at the very beginning of a sentence, to resolve upon the manner in which you would have it terminate; but we must avoid the least appearance of poetry, both in our numbers, and in the other ornaments of language; though it is true, indeed, that the

labours of the orator must be conducted on the same principles as those of the poet. For in each we have the same materials to work upon, and a similar art of managing them; the materials being words, and the art of managing them, relating, in both cases, to the manner in which they ought to be disposed.

The words also in each may be divided into three classes,—the *metaphorical*,—the new-coined,—and the antique;—for at present we have no concern with words *proper*:—and three parts may also be distinguished in the art of disposing them; which, I have already observed, are *junction*, *concinnity*, and *number*. The poets makes use both of one and the other more frequently, and with greater liberty than we do; for they employ the *tropes* not only much oftener, but more boldly and openly; and they introduce *antique* words with a higher taste, and new ones with less reserve. The same may be said in their numbers, in the use of which they are subjected to invariable rules, which they are scarcely ever allowed to transgress. The two arts, therefore, are to be considered neither as wholly distinct, nor perfectly conjoined. This is the reason why our numbers are not to

be so conspicuous in prose as in verse ; and that in prose, what is called a *numerous* style, does not always become so by the use of numbers, but sometimes either by the concinnity of our language, or the smooth juncture of our words.

To conclude this head; If it should be enquired, "What are the numbers to be used in prose?" I answer, "*All*; though some are certainly better, and more adapted to its character than others."—If, "*Where* is their proper seat?"—"In the different quantity of our syllables:"—If "From whence their *origin*?"—"From the sole pleasure of the ear:"—If "What the method of blending and intermingling them?"—"This shall be explained in the sequel, because it properly relates to the manner of using them, which was the fourth and last article in my division of the subject." If it be farther enquired, "For what purpose they are employed?" I answer,—“to gratify the ear:” If "*When*?" I reply, "At all times:"—If "In what part of a sentence?" "Through the whole length of it:"—and if "What is the circumstance which gives them a pleasing effect?" "The same as in poetical compositions, whose metre is regulated by art, though the ear alone,

alone, without the assistance of art, can determine its limits by the natural powers of sensation." Enough, therefore, has been said concerning the nature and properties of *number*.

67. The next article to be considered is the manner in which our numbers should be employed,—a circumstance which requires to be accurately discussed.

Here it is usual to enquire, whether it is necessary to attend to our numbers through the whole compass of a period⁹, or only at the beginning or end of it, or equally in both. In the next place, as *exact number* seems to be one thing, and that which is only measured another, it might be enquired wherein lies the difference. We might likewise consider whether the members of a sentence should all indifferently be of the same length, whatever be the numbers they are composed of;—or whe-

A a 2 ther.

* Our author here informs us, that what the Greeks called *περίοδος*, a *period*, was distinguished among the Romans by the words *ambitus*, *circuitus*, *comprehensio*, *continatio*, and *circumscriptio*. As I thought this remark would appear much better in the form of a note, than in the body of the work, I have introduced it accordingly.

ther, on this account, they should not be sometimes longer, and sometimes shorter ;—and when, and for what reasons, they should be made so, and of what numbers they should be composed ;—whether of several sorts, or only of one ; and whether of equal or unequal numbers ;—and upon what occasions either the one or the other of these are to be used ;—and what numbers accord best together, and in what order ; or whether, in this respect, there is no difference between them ;—and (which has still a more immediate reference to our subject) by what means our style may be rendered *harmonious*. It will likewise be necessary to specify the rise and origin of a *periodical* form of language, and what degree of compass should be allowed to it. After this, we may consider the members or divisions of a period, and enquire of how many kinds, and of what different lengths they are ; and, if they vary in these respects, *where* and *when* each particular sort is to be employed : and, in the last place, the *use* and application of the whole is to be fully explained ;—a very extensive subject, and which is capable of being accommodated not only to one, but to many different occasions.

But

But without adverting to particulars, we may discuss the subject at large in such a manner as to furnish a satisfactory answer in all subordinate cases. Omitting, therefore, every other species of composition, we shall attend to that which is peculiar to forensic causes. For in those performances which are of a different kind, such as history, panegyric, and all discourses which are merely ornamental, every sentence should be constructed after the exact manner of Isocrates and Theopompus ; and with that regular compass, and measured flow of language, that our words may constantly run within the limits prescribed by art, and pursue a uniform course, till the period is completed. We may, therefore, observe that after the invention of this *periodical* form, no writer of any account has made a discourse which was intended as a mere display of ornament, and not for the service of the forum, without squaring his language, (if I may so express myself) and confining every sentence of it to the strictest laws of number. For as, in this case, the hearer has no motive to alarm his suspicions against the artifice of the speaker, he will rather think himself obliged to him than otherwise,

A a 3

for

for the pains he takes to amuse and gratify his ear.

62 But, in forensic causes, this accurate species of composition is neither to be wholly adopted, nor entirely rejected. For if we pursue it too closely, it will create a satiety, and our attention to it will be discovered by the most illiterate observer. We may add, it will check the pathos and force of action, restrain the sensibility of the speaker, and destroy all appearance of truth and open dealing. But as it will sometimes be necessary to adopt it, we must consider *when*, and *how long*, this ought to be done, and how many ways it may be changed and varied. A *numerous* style, then, may be properly employed, either when any thing is to be commended in a free and ornamental manner, (as in my second invective against Verres, where I spoke in praise of Sicily, and in my speech before the senate, in which I vindicated the honour of my consulship;)—or, in the next place, when a narrative is to be delivered which requires more dignity than pathos, (as in my fourth invective, where I described the Ceres of the Ennensians, the Diana of the Segestani, and the situation of Syracuse.) It is

*numerous
orator's*

is likewise often allowable to speak in a numerous and flowing style, when a material circumstance is to be amplified. If I myself have not succeeded in this so well as might be wished, I have at least attempted it very frequently; and it is still visible in many of my perorations, that I have exerted all the talents I was master of for that purpose. But this will always have most efficacy, when the speaker has previously possessed himself of the hearer's attention, and got the better of his judgment. For then he is no longer apprehensive of any artifice to mislead him; but hears every thing with a favourable ear, wishes the orator to proceed, and, admiring the force of his eloquence, has no inclination to censure it. But this measured and numerous flow of language is never to be continued too long, I will not say in the peroration, (of which the hearer himself will always be a capable judge) but in any other part of a discourse: for, except in the cases above-mentioned, in which I have shewn it is allowable, our style must be wholly confined to those clauses or divisions which we erroneously call *incisa* and *membra*; but the Greeks, with more propriety, the *com-*

ma and *colon* *. For it is impossible that the names of things should be rightly applied, when the things themselves are not sufficiently understood : and as we often make use of metaphorical terms, either for the sake of ornament, or to supply the place of proper ones, so in other arts, when we have occasion to mention any thing which (through our unacquaintance with it) has not yet received a name, we are obliged either to invent a new one, or to borrow it from something similar.

63 We shall soon consider what it is to speak in

* The ancients apply these terms to the sense, and not to any points of distinction. A very short member, whether simple or compound, with them is a *comma* ; and a longer, a *colon* ; for they have no such term as a *semicolon*. Besides, they call a very short sentence, whether simple or compound, a *comma* ; and one of somewhat a greater length, a *colon*. And therefore, if a person expressed himself either of these ways, in any considerable number of sentences together, he was said to speak by *commas*, or *colons*. But a sentence containing more words than will consist with either of these terms they call a simple *period* ; the least compound period with them requiring the length of two *colons*.

John Ward's Rhetoric, volume 1st, page 344.
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in *commas* and *colons*, and the proper method of doing it : but we must first attend to the various numbers by which the cadence of our periods should be diversified. Our numbers will advance more rapidly by the use of short feet, and more coolly and sedately by the use of long ones. The former are best adapted to a warm and spirited style, and the latter to sober narratives and explanations. But there are several numbers for concluding a period, one of which (called the *dichoree*, or double *choree*, and consisting of a long and a short syllable repeated alternately) is much in vogue with the Asiatics ; though among different people the same feet are distinguished by different names. The *dichoree*, indeed, is not essentially bad for the close of a sentence : but in prosaic numbers nothing can be more faulty than a continued or frequent repetition of the same cadence : as the *dichoree*, therefore, is a very sonorous number, we should be the more sparing in the use of it, to prevent a satiety. C. Carbo, the son of Caius, and a tribune of the people, once said in a public trial in which I was personally engaged, *O Marce Druse, Patrem appello* ; where you may observe two *commas*, each consisting of two feet. He then made

made use of the two following *colons*, each consisting of three feet, *Tu dicere solebas, sacram esse Rempublicam* : and afterwards of the *period*—*Quicumque eam violavissent, ab omnibus esse ei pœnas pœrsölütās*, which ends with a *dichoree* ; for it is immaterial whether the last syllable is long or short. He added, *Patris dictum sapiens, temeritas filii cōm-pröbāvīt*, concluding here also with a *dichoree* ; which was received with such a general burst of applause, as perfectly astonished me. But was not this the effect of *number* ?—Only change the order of the words, and say, *Comprobavit filii temeritas*, and the spirit of them will be lost, though the word *tēmēritās* consists of three short syllables and a long one, which is the favourite number of Aristotle, from whom, however, I here beg leave to dissent. The words and sentiments are indeed the same in both cases ; and yet, in the latter, though the understanding is satisfied, the ear is not. But these harmonious cadences are not to be repeated too often : for, in the first place, our *numbers* will be soon discovered,—in the next, they will excite the hearer's disgust,—and, at last, be heartily despised on account of the

the apparent facility with which they are formed.

But there are several other cadences which will have a numerous and pleasing effect : for even the *cretic*, which consists of a long, a short, and a long syllable, and its companion the *pæon*, which is equal to it in quantity, though it exceeds it in the number of syllables, is reckoned a proper and a very useful ingredient in harmonious prose : especially as the latter admits of two varieties, as consisting either of one long and three short syllables, which will be lively enough at the beginning of a sentence, but extremely flat at the end ;—or of three short syllables and a long one, which was highly approved of by the ancients at the *close* of a sentence, and which I would not wholly reject, though I give the preference to others. Even the sober *spondee* is not to be entirely discarded ; for though it consists of two long syllables, and for that reason may seem rather dull and heavy, it has yet a firm and steady step, which gives it an air of dignity, and especially in the *comma* and the *colon* ; so that it sufficiently compensates for the slowness of its motion by its peculiar weight and solemnity.

When

When I speak of feet at the close of a period, I do not mean precisely the last. I would be understood, at least, to include the foot which immediately precedes it; and, in many cases, even the foot before *that*. The *iambic*, therefore, which consists of a long syllable and a short one, and is equal in time, though not in the number of its syllables, to a *choree*, which has three short ones; or even the *dactyl*, which consists of one long and two short syllables, will unite agreeably enough with the last foot of a sentence, when that foot is either a *choree* or a *spondee*; for it is immaterial which of them is employed. But the three feet I am mentioning, are neither of them very proper for closing a period, (that is, to form the last foot of it) unless when a *dactyl* is substituted for a *cretic* (˘˘), for you may use either of them at pleasure; because, even in verse, it is of no consequence whether the last syllable is long or short. He, therefore, who recommended the *pæon*, as having the long syllable last, was certainly guilty of an oversight; because the quantity of the last syllable is never regarded. The *pæon*, however, as consisting of four syllables, is reckoned by some to be only a *number*, and not a *foot*.

But

But call it which you please, it is in general, what all the ancients have represented it, (such as Aristotle, Theophrastus, Theodectes, and Euphorus) the fittest of all others both for the beginning and the middle of a period. They are likewise of opinion, that it is equally proper at the end; where, in my opinion, the *cretic* deserves the preference. The *dochimus*, which consists of five syllables, (i. e. a short and two long ones, and a short, and a long one, as in *amicōs tēnēs*) may be used indifferently in any part of a sentence, provided it occurs but once: for if it is continued or repeated, our attention to our numbers will be discovered, and alarm the suspicion of the hearer. On the other hand, if we properly blend and intermingle the several varieties above-mentioned, our design will not be so readily noticed; and we shall also prevent that satiety which would arise from an elaborate uniformity of cadence.

But the harmony of language does not result entirely from the use of *numbers*, but from the *junction* and *composition* of our words; and from that neatness and *concinnity* of expression which I have already mentioned. By *composition*, I here mean when our words are so judicious-

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ly connected as to produce an agreeable sound (independent of *numbers*) which rather appears to be the effect of nature than of art; as in the following passage from Crassus, *Nam ubi ludibo dominatur, innocentiae leve praesidium est*:³ for here the mere order in which the words are connected produces a harmony of sound, without any visible attention of the speaker. When the ancients, therefore, (I mean Herodotus, and Thucydides, and all who flourished in the same age) composed a numerous and a musical period, it must rather be attributed to the casual order of their words, than to the labour and artifice of the writer. But there are likewise certain forms of expression, which have such a natural concinnity, as will necessarily have a similar effect to that of regular numbers. For when parallel circumstances are compared, or opposite ones contrasted, or words of the same termination are placed in a regular succession, they seldom fail to produce

³ In the sentence which is here quoted from Crassus, every word which ends with a consonant is immediately succeeded by another which begins with a vowel; and, *vice versa*, if the preceding word ends with a vowel, the next begins with a consonant.

duce a numerous cadence. But I have already treated of these, and subjoined a few examples; so that we are hereby furnished with an additional and a copious variety of means to avoid the uniformity of cadence above-mentioned; especially as these measured forms of expression may be occasionally relaxed and dilated. There is, however, a material difference between a style which is merely *numerous*, (or, in other words, which has a moderate resemblance to *metre*) and that which is entirely composed of *numbers*: the latter is an insufferable fault; but our language, without the former, would be absolutely vague, unpolished, and dissipated.

But as a numerous style (strictly so called) is not frequently, and indeed but seldom admissible in forensic causes,—it seems necessary to enquire, in the next place, what are those *commas* and *colons* before-mentioned, and which, in real causes, should occupy the major part of an oration. The *period*, or complete sentence, is usually composed of four divisions, which are called *members*, (or *colons*) that it may properly fill the ear, and be neither longer nor shorter than is requisite for that purpose.

But

But it sometimes, or rather frequently happens, that a sentence either falls short of, or exceeds the limits of a regular period, to prevent it from fatiguing the ear on the one hand, or disappointing it on the other. What I mean is to recommend an agreeable mediocrity: for we are not treating of verse, but of rhetorical prose, which is confessedly more free and unconfined. A full period, then, is generally composed of four parts, which may be compared to as many hexameter verses, each of which have their proper points, or particles of continuation, by which they are connected so as to form a perfect period. But when we speak by *colons*, we interrupt their union, and, as often as occasion requires (which indeed will frequently be the case) break off with ease from this laboured and suspicious flow of language; but yet nothing should be so numerous in reality as that which appears to be least so, and yet has a forcible effect. Such is the following passage in Crassus:—" *Missos facient patronos; ipsi prodeant.*" "Let them dismiss their patrons: let them answer for themselves." Unless "*ipsi prodeant*" was pronounced after a pause, the hearer must have discovered

discovered a complete iambic verse. It would have had a better cadence in prose if he had said "*prodeant ipsi.*" But I am only to consider the species, and not the cadence of the sentence. He goes on, "*Cur clandestinis consiliis nos oppugnant? cur de perfugis nostris copias comparant contra nos?*" "Why do they attack us by clandestine measures? why do they collect forces against us from our own deserters?" In the former passage there are two *commas*: in the latter he first makes use of the *colon*, and afterwards of the *period*: but the period is not a long one, as only consisting of two *colons*, and the whole terminates in *spondees*. In this manner Crassus generally expressed himself; and I much approve his method.

But when we speak either in *commas*, or *colons*, we should be very attentive to the harmony of their cadence: as in the following instance,—"*Domus tibi deerat? at habebas. Pecunia superabat? at egebas.*" "*Was* you without a habitation? You had a house of your own. Was your pocket well provided? You *was* not master of a farthing." These are four *commas*; but the two following

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members are both *colons*;—" *Incurristi amens in columnas, in alienos insanus insanisti.*" "You rushed like a madman upon your best supporters; you vented your fury on your enemies without mercy." The whole is afterwards supported by a full period, as by a solid basis;—" *Depressam, cæcam, jacentem domum, pluris quam te, et fortunas tuas aestimasti.*" "You have shewn more regard to an unprosperous, an obscure, and a fallen family, than to your own safety and reputation." This sentence ends with a *dichoree*, but the preceding one in a *double spondee*. For in those sentences which are to be used like daggers for close-fighting, their very shortness makes our numbers less exceptionable. They frequently consist of a single number;—generally of *two*, with the addition perhaps of half a foot to each: and very seldom of more than three. To speak in *commas* or *colons* has a very good effect in real causes; and especially in those parts of an oration where it is your business either to prove or refute: as in my second defence of Cornelius, where I exclaimed, *O callidos homines! O rem excogitatam! O ingenia metuenda!*" "What admirable schemers!

schemers! what a curious contrivance! what formidable talents!" Thus far I spoke in *colons*; and afterwards by *commas*; and then returned to the *colon*, in "*Testes dare volumus.*" "We are willing to produce our witnesses." This was succeeded by the following *period*, consisting of two *colons*, which is the shortest that can be formed,—"*Quem, quæso, nostrum fecerit ita vos esse facturos?*" "Which of us, think you, had not the sense to foresee that you would proceed in this manner?" There is no method of expressing ourselves which, if properly timed, is more agreeable or forcible, than these rapid turns, which are completed in two or three words, and sometimes in a single one; especially when they are properly diversified, and intermingled here and there with a *numerous* period; which Egesias avoids with such a ridiculous nicety, that while he affects to imitate Lysias (who was almost a second Demosthenes) he seems to be continually cutting capers, and clipping sentence after sentence. He is as frivolous in his sentiments as in his language: so that no person who is acquainted with his writings, need seek any farther for a coxcomb. But I have selected several ex-

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amples

amples from Crassus, and a few of my own, that any person, who is so inclined, may have an opportunity of judging with his own ears, what is really *numerous*, as well in the shortest as in any other kind of sentences.

Having, therefore, treated of a *numerous* style more copiously than any author before me, I shall now proceed to say something of its *utility*. For to speak with elegance, and like an orator (as no one, my Brutus, knows better than yourself) is nothing more than to express the choicest sentiments in the finest language. The noblest thoughts will be of little service to an orator, unless he is able to communicate them in a correct and agreeable style: nor will the splendor of our expressions appear to a proper advantage, unless they are carefully and judiciously ranged. Permit me to add, that the beauty of both will be considerably heightened by the harmony of our numbers:—such numbers (for I cannot repeat it too often) as are not only not cemented together, like those of the poets, but which avoid all appearance of metre, and have as little resemblance to it as possible; though it is certainly true that the numbers themselves are the same,
not

not only of the poets and orators, but of all in general who exercise the faculty of speech, and, indeed, of every instrument which produces a sound whose time can be measured by the ear. It is owing entirely to the different arrangement of our feet that a sentence assumes either the easy air of prose, or the uniformity of verse. Call it, therefore, by what name you please (*composition, perfection, or number*) it is a necessary restraint upon our language; not only (as Aristotle and Theophrastus have observed) to prevent our sentences (which should be limited neither by the breath of the speaker, nor the pointing of a transcriber, but by the sole restraint of *number*) from running on without intermission like a babbling current of water: but chiefly, because our language, when properly measured, has a much greater effect than when it is loose and unconfined. For as wrestlers and gladiators, whether they parry or make an assault, have a certain grace in their motions, so that every effort which contributes to the defence or the victory of the combatants, presents an agreeable attitude to the eye; so the powers of language can neither give nor evade an important blow, unless they
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are gracefully exerted. That style, therefore, which is not regulated by *numbers*, is to me as unbecoming as the motions of a gladiator who has not been properly trained and exercised : and so far is our language from being *enervated* by a skilful arrangement of our words (as is pretended by those who, for want either of proper instructors, capacity, or diligence, have not been able to attain it) that, on the contrary, without this, it is impossible it should have any force or efficacy.

But it requires a long and attentive course of practice to avoid the blemishes of those who were unacquainted with this measured species of composition, so as not to transpose our words too openly to assist the cadence and harmony of our periods ; which L. Cælius Antipater, in the introduction to his Punic War, declares he would never attempt, unless when compelled by necessity. “ *O virum simplicem*, (says he, speaking of himself) *qui nos nihil celat ; sapientem, qui serviendum necessitati putet.*” “ O simple man, who has not the skill his art to conceal ; and yet to the rigid laws of necessity he has the wisdom to submit.” But he was totally unskilled in composition. By us, however,

however, both in writing and speaking, necessity is never admitted as a valid plea ; for, in fact, there is no such thing as an absolute constraint upon the order and arrangement of our words ; and, if there was, it is certainly unnecessary to own it. But Antipater, though he requests the indulgence of Lælius, to whom he dedicates his work, and attempts to excuse himself, frequently transposes his words without contributing in the least either to the harmony, or agreeable cadence of his periods. There are others, and particularly the *Asiatics*, who are such slaves to *number*, as to insert words which have no use nor meaning to fill up the vacuities in a sentence. There are likewise some who, in imitation of Hegesias (a notorious trifler as well in this as in every other respect) curtail and mince their numbers, and are thus betrayed into the low and paltry style of the Sicilians. Another fault in composition is that which occurs in the speeches of Hierocles and Menecles, two brothers, who may be considered as the princes of Asiatic eloquence, and, in my opinion, are by no means contemptible : for though they deviate from the style of nature, and the strict laws of Atticism, yet

they abundantly compensate the defect by the richness and fertility of their language. But they have no variety of cadence, and their sentences are almost always terminated in the same manner. He therefore, who carefully avoids these blemishes, and who neither transposes his words too openly, nor inserts any thing superfluous or unmeaning to fill up the chasms of a period,—nor curtails and clips his language, so as to interrupt and enervate the force of it,—nor confines himself to a dull uniformity of cadence,—*he* may justly be said to avoid the principal and most striking defects of prosaic harmony. As to its positive graces, these we have already specified; and from thence the particular blemishes which are opposite to each, will readily occur to the attentive reader.

Of what consequence it is to regulate the structure of our language, may be easily tried by selecting a well-wrought period from some orator of reputation, and changing the arrangement of the words'; the beauty of it would

¹ Professor *Ward* has commented upon an example of this kind from the preface to the Vth volume of the *Spectator* :

would then be mangled and destroyed. Suppose, for instance, we take the following passage from my defence of Cornelius,—“ *Neque*
me

tator :—“ *You have acted in so much consistency with yourself, and promoted the interest of your country in so uniform a manner; that even those, who would misrepresent your generous designs for the public good, cannot but approve the steadiness and intrepidity, with which you pursue them.*” I think, says the Doctor, this may be justly esteemed a handsome period. It begins with ease, rises gradually till the voice is inflected, then sinks again, and ends with a just cadency. And perhaps there is not a word in it, whose situation would be altered to an advantage. Let us now but shift the place of one word in the last member, and we shall spoil the beauty of the whole sentence. For if, instead of saying, as it now stands, *cannot but approve the steadiness and intrepidity, with which you pursue them;* we put it thus, *cannot but approve the steadiness and intrepidity which you pursue them with;* the cadency will be flat and languid, and the harmony of the period entirely lost. Let us try it again by altering the place of the two last members, which at present stand in this order, *that even those who would misrepresent your generous designs for the public good, cannot but approve the steadiness and intrepidity, with which you pursue them.* Now if the former member be thrown last, they will run thus, *that even those cannot but approve the steadiness and intrepidity, with which you pursue them, who would misrepresent your generous designs*
for

me divitiæ movent, quibus omnes Africanos et Lælios, multi venalitii mercatoresque superarunt.” “Nor am I dazzled by the splendor of wealth, in which many retailers, and private tradesmen have outvied all the Africani and the Lelii.” Only invert the order a little, and say,—“*Multi superarunt mercatores, venalitiique,*” and the harmony of the period will be lost. Try the experiment on the next sentence ;—“*Neque vestes, aut celatum aurum, et argentum, quo nostros veteres Marcellos, Maximosque multi eunuchi e Syriâ Egyptoque vicerunt :*” “Nor do I pay the least regard to costly habits, or magnificent services of plate, in which many eunuchs, imported from Syria and Egypt, have far surpassed the illustrious Marcelli, and the Maximi.” Alter the disposition of the words into, “*vicerunt eunuchi e Syria, Egyptoque,*” and

for the public good. Here the sense is much obscured by the inversion of the relative *them*, which ought to refer to something that went before, and not to the words *generous designs*, which in this situation of the members are placed after it. WARD'S Rhetoric, Vol. I. p. 338, 339.

and the whole beauty of the sentence will be destroyed. Take a third passage from the same paragraph :—“*Neque vero ornamenta ista villarum, quibus Paulum et L. Mummius, qui rebus his urbem, Italiamque omnem refenserunt, ab aliquo video perfacile Deliaci aut Syro potuisse superari :*” —“Nor the splendid ornaments of a rural villa, in which I daily behold every paltry Delian and Syrian outvying the dignity of Paulus and Lucius Mummius, who, by their victories, supplied the whole city, and indeed every part of Italy, with a superfluity of these glittering trifles !” Only change the latter part of the sentence into,—“*potuisse superari ab aliquo Syro aut Deliaci,*” and you will see, though the meaning and the words are still the same, that, by making this slight alteration in the order, and breaking the form of the period, the whole force and spirit of it will be lost. On the other hand, take one of the broken sentences of a writer unskilled in composition, and make the smallest alteration in the arrangement of the words,—and that which before was loose and disordered, will assume a just and a regular form. Let us, for instance, take the following passage

passage from the speech of Gracchus to the censors;—" *Abesse non potest, quin ejusdem hominis sit, probos improbare qui improbos probet* ;" "There is no possibility of doubting that the same person who is an enemy to virtue, must be a friend to vice." How much better would the period have terminated if he had said,—"*quin ejusdem hominis sit, qui improbos probet, probos improbare!*"—"that the same person who is a friend to vice, must be an enemy to virtue!" There is no one who would object to the last:—nay, it is impossible that any one who was able to speak thus, should have been willing to express himself otherwise. But those who have pretended to speak in a different manner, had not skill enough to speak as they ought; and for that reason, truly, we must applaud them for their *Attic* taste;—as if the great DEMOSTHENES could speak like an *Asiatic**,—that Demosthenes, whose thunder

* Quasi vero Trallianus fuerit Demosthenes.] Trallianus signifies an inhabitant of Tralles, a city in the lesser Asia, between Caria and Lydia. The Asiatics, in the estimation of Cicero, were not distinguished by the delicacy of their taste.

der would have lost half its force, if its flight had not been accelerated by the rapidity of his numbers.

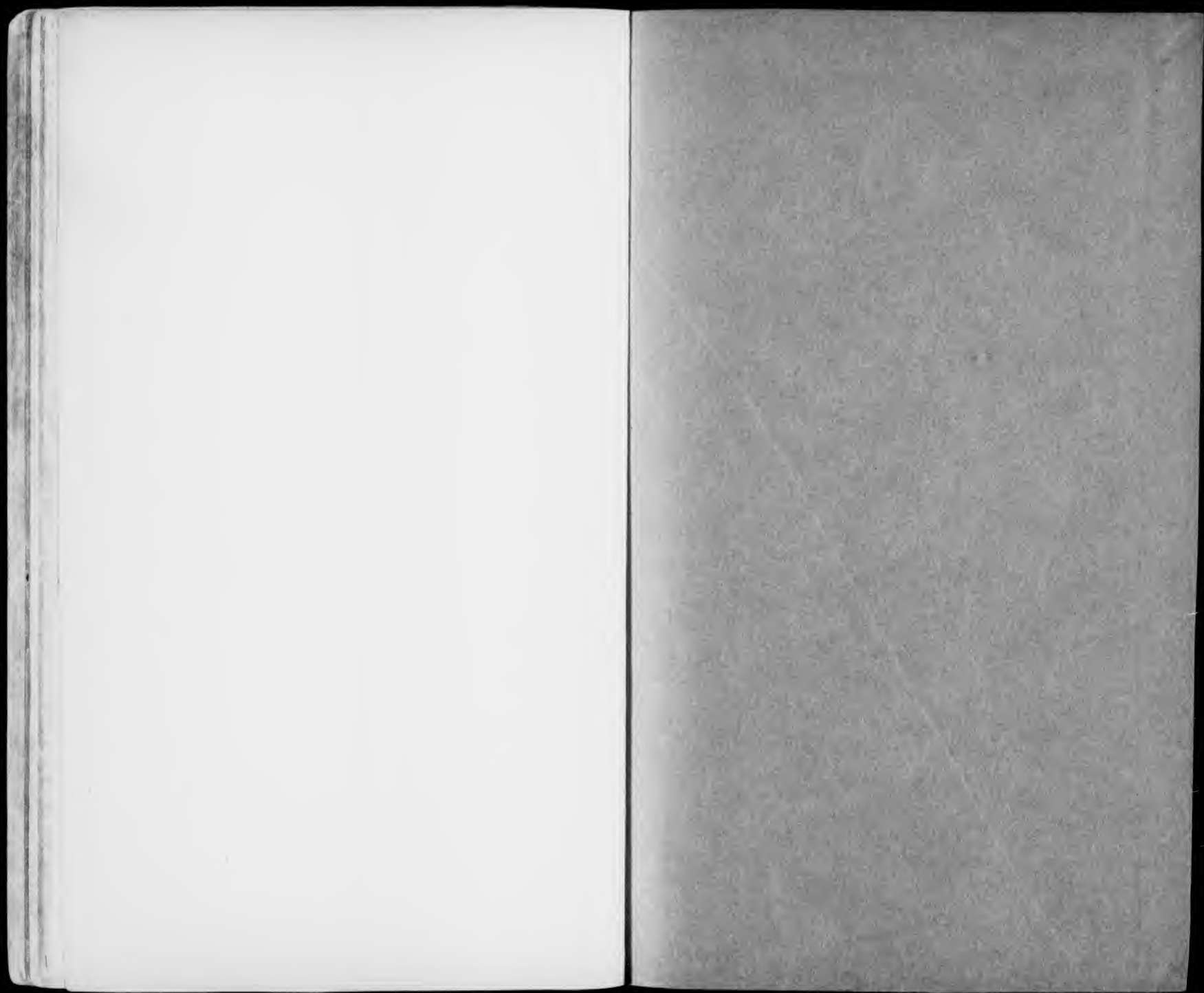
But if any are better pleased with a broken and dissipated style, let them follow their humour, provided they condescend to counter-balance it by the weight, and dignity of their sentiments: in the same manner, as if a person should dash to pieces the celebrated shield of Phidias, though he would destroy the symmetry of the whole, the fragments would still retain their separate beauty;—or, as in the history of Thucydides, though we discover no harmony in the structure of his periods, there are yet many beauties which excite our admiration. But these triflers, when they present us with one of their rugged and broken sentences, in which there is neither a thought, nor word, but what is low and puerile, appear to me (if I may venture on a comparison which is not indeed very elevated, but is strictly applicable to the case in hand) to have untied a besom, that we may contemplate the scattered twigs. If, however, they wish to convince us that they really despise the species of composition which I have now recommended, let them

them favour us with a few lines in the taste of Isocrates, or such as we find in the orations of Æschines and Demosthenes. I will then believe they decline the use of it, not from a consciousness of their inability to put it in practice, but from a real conviction of its futility; or at least, I will engage to find a person, who, on the same condition, will undertake either to speak or write, in any language they may please to fix upon, in the very manner they propose. For it is much easier to disorder a good period, than to harmonize a bad one. But, to speak my whole meaning at once, to be scrupulously attentive to the measure and harmony of our periods, without a proper regard to our sentiments, is absolute madness:—and, on the other hand, to speak sensibly and judiciously, without attending to the arrangement of our words, and the regularity of our periods, is (at the best) to speak very awkwardly; but it is such a kind of awkwardness that those who are guilty of it, may not only escape the title of blockheads, but pass for men of good-sense and understanding; a character which those speakers who are contented with it, are heartily welcome to enjoy! But an orator who is expected

pected not only to merit the approbation, but to excite the wonder, the acclamations, and the plaudits of those who hear him, must excel in every part of eloquence, and be so thoroughly accomplished, that it would be a disgrace to him that any thing should be either seen or heard with greater pleasure than himself. Thus, my Brutus, I have given you my opinion of a complete orator; which you are at liberty either to adopt or reject, as your better judgment shall incline you. If you see reason to think differently, I shall have no objection to it; nor so far indulge my vanity as to presume that my sentiments, which I have so freely communicated in the present essay, are more just and accurate than yours. For it is very possible not only that you and I may have different notions, but that what appears true even to myself at one time may appear otherwise at another. Nor only in the present case, which must be determined by the taste of the multitude, and the capricious pleasure of the ear (which are, perhaps, the most uncertain judges we can fix upon)—but in the most important branches of science, have I yet been able to discover a surer rule to direct my judgment

judgment, than to embrace that which has the greatest appearance of probability: for *truth* is covered with too thick a veil to be distinguished to a certainty. I request, therefore, if what I have advanced should not have the happiness to merit your approbation, that you will be so much my friend as to conclude, either that the task I have attempted is impracticable, or that my unwillingness to disoblige you has betrayed me into the rash presumption of undertaking a subject to which my abilities are unequal.

THE END.



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